



Public Review Period



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MILFORD BOROUGH COUNCIL
500 BROAD STREET

ACCOUNT # 400002102

MILFORD, PA 18337

Proof of Publication Notice in the Pocono Record

Kelli McFall, Advertising Manager of the Pocono Record having been duly sworn according to law, deposes and says the Pocono Record is a Newspaper of general circulation published at 511 Lenc Street, Stroudsburg, Monroe County, Pa. The Pocono Record was established on April 2, 1894 and has been regularly published and issued in Monroe County since that time. The printed notice attached to this affidavit is exactly the same as was printed and published in the regular editions and issues of the Pocono Record on the dates listed below the bottom of this notice. I certify that I am duly authorized to verify this statement under oath and am not interested in the subject matter of the attached notice or advertisement. All allegations in this affidavit as to time, place, and character of publication are true.

Copy of notice

**PUBLIC NOTICE
EASTERN PIKE COUNTY
REGIONAL ACT 537
PLAN ADOPTION**

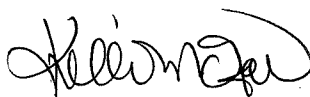
Notice is hereby given that the Milford Borough Council, Pike County, Pennsylvania proposes to adopt a Sewage Facilities Plan pursuant to Act 537 following a thirty (30) day public comment period; hereby established. The study area for the Plan is Milford Borough's Commercial District, Matamoras Borough and portions of Milford and Westfall Township.

The purpose of the Plan is to address the wastewater disposal needs of Milford Borough Commercial District, Matamoras Borough, and portions of Westfall Township and Milford Township based on existing needs within the four Municipalities and also continued support for on-lot disposal systems (OLDS) within the planning areas.

The selected alternatives for the Plan for Milford Borough are as follows: (1) Construction of public sanitary sewer facilities to serve East and West Hartford Street, Broad Street for an estimated total project cost of approximately \$6,100,000 over a period of 5 to 10 years contingent upon receipt of favorable funding in the form of grant money, execution of an inter-municipal agreement, and Westfall Township extending their sewer line to the border of Westfall/Milford Township.

F The plan also addresses enhanced on-lot system (OLDS) monitoring in Milford Borough to evaluate the need for any additional ordinance requirements in addition to the borough's current OLDS ordinances.

Individuals interested in reviewing a copy of the Plan may do so using the Milford Borough Website (www.milfordboro.org). The link is http://tiny.cc/easternpike537. The public may submit written comments on the Plan to the Milford Borough Council, 500 Broad Street, Milford, PA 18337 or through email to Secretary@milfordboro.org



Kelli McFall

Commonwealth of Pennsylvania
County of Monroe

Sworn to and subscribed
to before me this day November 13, 2020

Lois A. Kirkwood
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Lois A. Kirkwood, Notary Public
Monroe County
My commission expires March 2, 2023
Commission number 1085876
Member, Pennsylvania Association of Notaries

EXP. DATE	AD CAPTION	# TIMES	AMOUNT
11/13/2020	PUBLICNOTICEEASTERNPIKECO	1	198.20
START DATE 11/13/2020	END DATE 11/13/2020		

Boro Secretary

From: Shawn Hilvers [shawnhilvers@gmail.com]
Sent: Wednesday, December 02, 2020 1:10 PM
To: Boro Secretary
Subject: Proposed 537

The proposed 537 is being sold as affecting the commercial district only. But there is a section dealing with monitoring the residential on lot disposal system (OLDS). It consists of monitoring the existing systems for 5 years by forcing septic pumping companies to report to the borough all pumping activity and any other information required of them. Then an ordinance most likely be passed that will require pumping at mandated intervals.

My questions are:

- 1 -Since this has not been an issue before, why is it now? Mayor Strub said in the informal Q&A that it is state mandated. Can you show me where? If it is just because everyone else is doing it, then that is not a good enough reason. As Mayor Strub also mentioned, this can be like 'opening up a can of worms'.
- 2 -Why are you pushing that the borough government has to tell me when I need to pump my septic or to replace it? It has nothing to do with wells, since we have municipal water. Just the fact that I live in my own house gives me the impetus to ensure that my system is taken care of. You don't need to tell me to fix a leaky roof, why this?

Thank you for you time,
Shawn Hilvers

Sent from my iPhone

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the emailed comments from Shawn Hilvers on 12/2/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The monitoring of OLDS system is now to be addressed because the Borough is updating their Act 537 Plan for the first time in over 30 years. OLDS monitoring has been a requirement since the 1970's in accordance with Title 25 Chapter 73 of the PA Code. The DEP requires OLDS Management to be addressed in the Plan. According to the Pennsylvania Sewage Facilities Act: A Guide for Preparing Act 537 Update Revisions on Page 26 (which is found on the DEP's website) and Title 25 Chapter 71 of the PA Code , it states that "All official sewage facilities plan update revisions must address the need for a sewage management ordinance program."
2. As mentioned in Response #1, on lot systems are regulated and required to be maintained in accordance with Title 25 Chapter 71 of the PA Code. Implementation of an ordinance is being evaluated as part of the plan to better maintain and monitor failing on lot disposal systems. Without an OPM ordinance, the local SEO has the ability (under Title 25 §72.41 of the PA Code) to issue, deny, and revoke OLDS permits and enforce Section 7 of Title 35 §750.7 of the PA Code.

From: Amy Edge

Sent: Monday, November 30, 2020 5:16 PM

To: Laurie DiGeso; pike Courier; Pike Dispatch; editor@th-record.com; Pike County Courier; pikeco@brctv13.com; Pike Dispatch; <milfordmerchants@googlegroups.com>; Protect Pike Listserve; news@neversinkmediagroup.com; newsroom@poconorecord.com

Subject: RE: Milford Borough PA Central Sewer Public Comment Meeting & Sewer Project

Open letter to the Milford Borough Council and Milford PA stakeholders, regarding central sewage in a small town:

1

I write to you as a 27 year veteran Milford business person, community leader and neighbor, someone with an invested interest in the Borough with the experience, knowledge and concerns to oppose the central sewer project as proposed by Milford Borough Council and lobbied by Milford Borough Mayor Sean Strub. I won't be attending the public comment meeting on December 3rd 2020 and would appreciate that this letter be read in my absence and entered into the official record regarding this matter.

Milford has been a hub of hospitality for more than 2 centuries, a quaint river town surrounded by trees and wildlife and offering a wide range of accommodations. For 200 years, dining, drinking and lodging in the Borough has ebbed and flowed, and for 200 years, Milford's cesspools and septic systems have served the thousands of guests through our doors and on our own properties.

Milford, as we know it, is a patchwork of historic inns and eateries nestled in among homes and buildings that have grown up around them, many repurposed to accommodate businesses due to a lack of existing commercial spaces. My family's property is a prime example of a 19th century home adapted for retail use. When choosing the location, we considered our plans, our needs and the appropriateness of the building. I would expect that our neighbors went through a similar process to decide if their location would suit their needs. We didn't require a public restroom and for nearly 3 decades, we've gone without one. In that time, we might have spent \$500 total to maintain our system, equivalent to less than \$20 per year that we've been here. As a community, we've grown to what we are with what we have and have maintained our historic integrity as a result.

2

While a handful of property owners would benefit from a larger central system, it will not serve the larger public interest to proceed with the expensive and invasive sewer project as proposed by the Milford Borough Council. The current plan requires property owners on the planned "route" to tie-in to the system without offering an opt-out for those of us, the majority of all property owners, who otherwise don't require, don't want to and/or frankly, can't afford to hook up. Why should my family have to incur a \$20,000-\$40,000 initial expense to tie-in with a monthly or quarterly bill in perpetuity with zero added benefit to our business so that the restaurant down the street doesn't have to call the septic company after a busy weekend or the hotel can further develop their parking lot/septic field? Why should we have to take out a loan to finance another business's upgrade? Why should we be forced to consider closing our doors because of the Borough Council's shortsighted plan's impact on our small family business? What will the impact be on organizations like the Historical Society, Columns Museum and Pike County Library when the expense of tie'ing-in comes due? What guarantees do residents have that a central sewer system is financially sustainable and won't leave them holding the bag as equipment ages out, as experienced in other communities? And while we're at it, what benefit

3 outweighs the environmental risk that a high capacity central sewer system will put on the Delaware River, our main attraction, downhill from whatever system the Council decides to approve?

4 Following a week of unprecedented local Covid cases, it's inappropriate to proceed with a public hearing and any related decisions as scheduled. The Borough Council's determination to stay on course with planned public meetings despite the imminent threat to community health is irresponsible and could easily be interpreted as a means of suppressing public opinion. To expect Milford's older, at-risk or unequipped stakeholders to appear in person or via Zoom for what may be the Borough's most defining and divisive issue of the century is both exclusionary and elitist.

So yeah, I'm opposed to a central sewer in Milford. I'm ecstatic for anyone whose business is booming to the point of excess meal prep, dishwashing, laundry and flushing but to put it bluntly, I suggest that those property owners who have exceeded their waste capacity handle their own s---.

Yours respectfully,
Amy Eisenberg
Milford Craft Show

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the emailed comments from Amy Edge on 11/30/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. This comment letter will be included in the Act 537 Plan as part of the official record.
2. There is no opt out because in order to receive funding from PennVEST and USDA, a mandatory connection ordinance is required. The initial expense will be significantly lower than \$20,000-\$40,000. Loans and business closures should not occur as the Borough will not proceed with central sewage if the costs place too much burden on its residents and businesses. The implementation of central sewage is dependent on favorable grants and loans. The costing discussed in Chapter 5 includes an O&M cost, so as the system ages out, there will be funds to replace it.
3. The MATW WWTP is permitted by the DRBC and DEP to discharge 0.374 MGD. This is significantly less than the projected discharge from the recommended Alternatives in the Plan. Failing on-lot systems pose greater risk to the environment than centrally treated and monitored sewage.
4. Continuity of government in an open and transparent manner is essential, but must be conducted differently in these extraordinary times. The State has recommended:
 - Consider live-streaming meetings through Facebook Live, Skype, GoToMeeting, or other platforms (Zoom).
 - To encourage less in-person attendance, provide alternative means for public comment, such as an email address where comments may be submitted in advance or a call-in number.

In 2020, it is common for municipalities throughout the State to be conducting their business through live-stream meetings. In addition, the Borough has successfully held multiple live-stream meetings, which in many cases makes it easier for residents and business owners to attend in the comfort of their homes, to present the Plan, to address questions and take comments. Recognizing the timeline of COVID restrictions and risks, the Borough feels it is appropriate to keep things moving forward on the Plan utilizing all the tools at our disposal to make sure things are handled in a fair and completely open and transparent manner. The Plan has been posted at the link: <http://tiny.cc/easterpike537> for 6-months at this point – a more accessible method than viewing one copy at a public office (minimum requirement) – and in addition, live-streamed public meetings throughout the State are showing larger numbers of attendees, not less, because residents and business owners can connect no matter where they are at or what they are doing. Through the public comment period, the Plan was advertised in the local paper and was available at the above link which was referenced in the advertisement and on the Borough's website.

5. Acknowledged, and as in the Plan and above, failing on-lot systems are not directly and solely attributed to “property owners who have exceeded their waste capacity.”

I A Public Comment.....on Act 537's Feasibility Study on central sewage for Milford Borough's Commercial District to be included in HRG's final document.

From: Bill Kiger, 600 7th Street, active in the civic affairs of the borough for the last 23 years, having grown up here: President, Historic Preservation Trust of Pike County; Milford Enhancement Committee; Borough Councilman; Past President of the Pike County Historical Sociey; Past Chairman of the Tourism Committee of the PC Chamber of Commerce; spent a good part of my work life involved in state, regional, and local tourism in the Northeast as representative of a major national magazine.

Comment: The Act 537, while a very important document in defining the alternatives, or feasibility, of central sewage for Milford Borough offers little, or weak, support of why it does, and what the impacts might be. Consider these deficiencies:

- 1 • Widespread malfunctions are not confirmed by the on-the-ground sewage expert, the SEO.
- 2 • Mandatory failures by a DEP standard cannot be explained as anything other than an arbitrary principle, and carry no weight with the public.
- 3 • The threatened future viability of our major restaurants does not seem to be the case at all. They seem to be doing well and are raising their prices, and, according to the SEO, their septic capacity is more than adequate and their technical problems are fixable, and at a much lower price point than putting in sewers.
- 4 • There is no impact statement as to the effect on small businesses, and how many of them may have to go out business.
- 5 • There is no impact statement on tourism and how it works as an economic force, and how it would fare under central sewage and during its implementation. Tourism has good years and bad years, and everything in-between. There is the unpredictability of weather, the economy, and unforeseen market forces, such as changing travel patterns(think snowbirds) and increasing resort area development within 25 miles.

6

- There is no impact statement on traffic, which will be greatly affected by the forced development of sewers, and there is no remedy. Traffic in the borough is already congested during daily peak periods at all 4 entrances. And losing parking is not an option.

7

- The push for economic development by public officials is being overplayed. Milford Borough does not have the space or population as other parts of Pike County (Westfall and Dingman Twps., and around Lake Wallenpaupack), where development is appropriate. Sprawl is not an option on two sides of Milford Borough in Milford Township. The township has wisely rejected sewers at this juncture and discouraged expansive ordinance changes to accommodate it.

Thus, there is nothing to be gained in Milford Borough through the introduction of central sewage except expense and congestion, and the disillusionment of business owners and homeowners for a decade. Is it worth it, or even justified?

Bill Kiger

600 Seventh St.

Milford, PA 18337

12-01-20

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from Bill Kiger on 12/1/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. Widespread failure was not confirmed in the Tier 2 Surveys either. However, many of the systems were suspected malfunctions as classified by DEP Standards. The Borough also anticipates there will be future failures as they continue to age.
2. An Act 537 Plan is a DEP Document and must be approved by the DEP. As a result, the Borough is using the standard DEP classification definitions identified in the Needs Identification Documentation. If the SEO were to verify failures, it would be exceedingly more expensive and failures would need to be reported for violation.
3. The major restaurants and businesses have expressed the need for central sewage to the Borough.
4. It is not anticipated that the sewage costs would cause businesses to go out of business. If there is not sufficient funding, the Borough will not implement the selected alternatives.
5. This is outside of the scope of an Act 537 Plan.
6. This is outside of the scope of an Act 537 Plan.
7. Upgrading the waste disposal systems will help the businesses have a long-term solution for sewage and keep the cornerstone businesses in Milford Borough.

A Condensed Point-Of-View – PCRG

COMMENT II

Central sewage is technically feasible in Milford Borough's Commercial District, but at what cost and at what sacrifice:

1. Final grants and actual hookup costs are still unknown.
2. Big business viability, esp. restaurants, is not conclusive.
3. Impact analysis is missing on traffic, tourism, small businesses, goods and services pricing, and how-to-protect from over-development.
4. Implications of Milford Township's sewer rejection have not been thought through publicly.
5. There is little self-knowledge of Milford Borough as a complete economic microcosm, limited in the extent to which it can be developed.

The Borough Council, for its own good counsel, needs to accept that central sewage as economic development is not an open-and-shut case, and could responsibly be decided in the negative.

Bill Kiger...on behalf of PCRG

600 Seventh St., Milford, PA 18337

12-01-20

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from Bill Kiger on 12/1/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The implementation of the Alternatives is contingent upon the final grant and hookup costs. These cannot be known yet because it is only in the planning process. Planned/projected (planning level) costs has been included in Chapter 5 and 8.
2. Businesses have indicated to the Borough that sewer is desired. Also, the recently completed survey in the Comprehensive Plan update indicated over half of the respondents felt a public sewer alternative is desirable. Finally, cesspools – which serve many of the homes and businesses in the Borough – are not permitted or considered viable systems by today’s standards. DEP classifies cesspools as “Suspected Failures” due to the track record of their performance. It is appropriate for the Borough to have planning in place for a public system alternative to the legacy on-lot disposal systems.
3. This analysis is outside of the scope of an Act 537 Plan.
4. The Plan takes into account Milford Township’s selection of the No Action Alternative.
5. While there are essentially no open lots that can be developed in Milford Borough, central sewage will still enhance economic development. This is a well-known effect of communities having public sewer alternatives.



A List of Questions – Submitted by Pike Citizens for Responsible Growth...on the implications of central sewage in Milford Borough in the Act 537 Study to be included in the final HRG document:

1. Is the OLDS ordinance provision definitely eliminated, and under all circumstances?
2. Is debt service really eliminated for hooking-up properties?
3. Are tapping fees really eliminated as a property owner responsibility?
4. Does the Borough have a backup maintenance fund to deal with unforeseen accidents and breakdowns?
5. Will a grinder pump costs analysis be made public, including life expectancy in years, likely replacement cost, estimated regular maintenance periods, and the expected effect on electric bills?
6. Will a construction timeline be made available, including time span to come down the 3-lane, to enter Milford Borough, to go down Blackberry and Gooseberry, and to go up and down Harford(one, or two ditches)?
7. Will sewers go down Broad from the light to Sawkill Avenue?
8. Is there any difficulty in laying sewer pipe along side, or on top of, water and gas lines, or how would a sewer go across, or under, these lines to access a property?
9. Are there developed cost examples at different EDU levels for property owners to see what they might be paying?
10. Is the DEP(PA Dept. of Environmental Protection) totally signed off on Act 537's procedures and assumptions?
11. Does Act 537 reflect total transparency on the septic conditions of the biggest potential hookups(Belle Rive, Dimmick Inn, Milford Diner, Hotel Fauchere, Tom Quick, and the county---clearly, the driving force of the project)?
12. As to the County, having just put in an extensive system, what is the cost of it, and what is the cost now of hooking to the sewer and removing the old, including the reserve field in front of the left side of the old court house?

13. Will sewer impacts be included in the borough's planned traffic study, including, not only during construction, but in the aftermath of forced development, and the resulting sprawl if the township hooks up.
14. Is The Lumberyard included, and what would be the effect on its marginal businesses, and will the sewer go down Mill St. as far as The Upper Mill?
15. What if DEP finds that the malfunctions rational is a jump-ball?
16. Is there an impact study on the pricing of goods and services as a result of central sewage, including upfront and recurring costs, and examples from other communities?
17. Is the Milford Township opt-out of sewers truly understood in its implications for the Borough, especially as it relates to costs, the need for sewage-driven development, and the pressure back on the township to cave-in? Has Milford Township done Milford Borough a big favor by rejecting sewers?
18. Can a joint economic vision between the township and the borough be put back together through comprehensive planning to the benefit of all?

Bill Kiger...on behalf of PCRG
600 Seventh St., Milford, PA 18337
December 1, 2020

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from Bill Kiger on 12/1/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The OLDS ordinance provision is dependent upon approval of the Plan by the DEP and DRBC. If the current provision is approved, the Borough will undergo the enhanced monitoring period. If it is determined that an OLDS management ordinance is required, the Borough would develop and adopt an ordinance.
2. The debt service is not eliminated. It is included in the costing shown in Chapter 5, and it is part of the monthly sewer cost.
3. The tapping fee of \$1,600 per EDU will still exist. However, the Borough plans to use grants to assist with every property owner's tapping fees.
4. Operation and maintenance is included in the estimated monthly sewer bill.
5. The Act 537 Study is a planning document. The final grinder pump determination is not made until the design and permitting phases of the implementation.

This said, a potential grinder pump system the Borough is referencing during the planning to conceptualize costing, maintenance, etc... is the EONE grinder pump system. There are three articles on the Borough's website on their maintenance, longevity, and energy use. The following is a quote from Citizen Energy Group in Indianapolis 2020 publication:

A grinder pump system [the pump itself – not the entire tank] should be evaluated for replacement after 15-20 years of operation. However, it may be prudent for customers to start planning and budgeting for replacement after 10 years of use. The average cost of replacement of the major components (i.e. grinder pump) is typically around \$2,500. Like other major appliances, service calls will be necessary as parts wear out and require replacement over time, customers can expect a service call for maintenance on average every eight years at an average cost of \$250 to \$375.

The operational cost from the same publication:

What are the electrical requirements for operating the grinder pump system?

For optimal performance, 240-volt 1 phase 30-amp service is best, but 20 amp is acceptable. The cost for electricity to the grinder pump is similar to that of a 40-watt light bulb, which is about \$24 per year (assuming \$0.10/kWh) CitizensEnergyGroup.com/STEP.

Most repairs can be done on-site. Large commercial establishments will have duplex pumps in the plan. EONE rebuilds grinders, this would require the municipal authority or the service provider supplying loaner pumps.

6. The construction timeline will be made available during the design phase. Anticipated construction length within the Borough is 6 to 8-months.
7. The sewers will run as shown in Alternative Exhibit 6F.
8. Low pressure lines are easier to place with proper separations from existing utilities. In addition, this will be done during the design phase and is not a concern.
9. The costs are for a single EDU user. All single-family homes are billed for 1 EDU, regardless of usage. For commercial properties, the owner will be charged on a per EDU Basis. 1 EDU is defined as 200 gallons-per-day (GPD) in the study.

10. The Borough and the DEP have been in contact throughout the planning process. The DEP was sent a draft copy of the Plan to review and declined to review the draft on 8/25/2020.
11. The Act 537 Plan reflects total transparency.
12. The Borough does not know the cost and exact details of the system and evaluation of the costing of the County's system is outside the scope of the study.
13. This is outside the scope of the Act 537 Plan.
14. The sewer line will follow the route shown in Alternative Exhibit 6F.
15. The Plan requires the DEP's approval. If the DEP does not approve the Plan, the sewer extension cannot be implemented until the plan is approved by the DEP.
16. This is outside the scope of the Act 537 Plan.
17. Milford Township selected the No Action Alternative. The entire Plan is written with the knowledge of Milford Township selecting the No Action Alternative. With Milford Township opting out of sewer, the sewer rates were raised for Milford Borough. This information was considered when developing the cost estimates and selecting the Alternatives.
18. This is outside the scope of the Act 537 Plan.

Pike Citizens for Responsible Growth (PCRG)

...an affinity group advocating for natural, long-term municipal growth in eastern Pike County, with recent experience in Milford Township and currently in Milford Borough.

COMMENTS ON CENTRAL SEWAGE IN THE BOROUGH

Overriding Questions:

1. Why are we meeting virtually on this important community matter, restricting participation? Why can't the issue be moratorium-ed to the summer of 2021, as Co-Vid is still very active? What is the rush in a 5-to-8-year project? PCRG protests strongly and requests the moratorium step, as we did last spring.
2. Assuming this 'comment' step, what is the procedure to a final vote, having arrived at an 'affordable' package of grants and loans? Will the vote be preceded by a public hearing including final EDU costs by property size, a construction timetable, and a presentation of ordinances, in-place and pending, to protect the borough from over-development?

Act 537 and Public Statement Questions:

1. The Act 537 Study is replete with unexplained assumptions and material insufficiencies, such as 'septic need', 'business viability', and the lack of community impact studies:

A

It was stated by Council members that there is a vocal "minority" opposed to central sewage. Based on conversations, emails and yard signs this is NOT a vocal minority. If it were, why not put the ACT537 approval on the ballot as a referendum? Or better yet why not halt the approval process until we can once again have in person meetings.

B

In an earlier article in the Pike County Courier from August 13th, 2020 "The Sewer War is on" there is the comment from a Borough Council member which stated, the ultimate decision rests with the council ".....it also would not be fair to have the MAJORITY of the Borough make that decision for others." I disagree completely. This central sewage plan if enacted will ultimately affect every resident undoubtedly not for the better. Start 1st with more congestion on our roads, and an additional strain our stretched services; this will also lead to high density development down the 6&209 corridor to the Borough.

C

A further quote from a Council member "... if you can't open Restaurants, we are not going to be a tourist town." Prior to COVID we had 403 Broad, Bar Louis, The Fauchere, the Waterwheel,

Dimmick, Laurel Valley, Naked Bagel, Jive, Pizza places, a microbrewery a Chinese restaurant, a Mexican Restaurant, Spoonful and the Diner. How many more restaurants do we need, or can we support?

D The Tom Quick Inn was used as an example of why central sewage is a must. Lack of central sewage supposedly has kept the Tom Quick from being sold. Interestingly enough as of this writing the Tom Quick Inn has been purchased, renovations are ongoing and there is a liquor license application posted in the window. Add to that the gas station that has been sitting idle for years across from the Post Office. There is an application pending for an independently owned take out Burger Restaurant, also without the need for central sewage. This is the type of organic economic growth we need and are getting.

E In my opinion, it makes absolutely no sense to pump an additional ~70k gallons a day of treated effluent into the Delaware as opposed to having cesspools pumped at certain long intervals. The Westfall plant will need continued maintenance and upgrades to assure they are removing ever changing chemicals and drugs. This cost will be borne by those residents and business owners connected to Central Sewage. This quote from the Scientific American, "Only about half of the prescription drugs and other newly emerging contaminants in sewage are removed by treatment plants."

F In my opinion there is nothing in the way of compelling data in this ACT537 document that would justify a central sewage project.

Q&A for HRG and Milford Borough Council on Central Sewage

1) Borough OLDS Survey

- a) What are the qualifications of your sewage inspector who surveyed the OLDS systems in the Borough?
 - i) Does he have a degree or other training and how many years' experience does he have?
- b) Chart 3.3 list 123 Borough properties surveyed, yet the map in Appendix G, when counted, show a total of 93. How do you account for this discrepancy?
- c) Chart 3.3 also list 5 Fails in the Borough, on the map in Appendix G the 5th Fail is in the Township based on the drawn borders.
- d) Have these fails been rectified?

2) Engineering

- a) Who is the HRG Engineer that was responsible for "specking" the proposed low pressure sewage system?
 - i) What are his qualifications and years of experience?
 - ii) Has he designed a low-pressure system like this before?
 - iii) How many systems total has he designed?
 - iv) Where are these systems located? Please be specific.

- v) In the Borough Q&A document on the WEB site it is stated several times that, "The proposed engineering solution eliminates the need for any interior plumbing modifications".

- (1) How is this possible for properties along E/W Harford St. where the plumbing is to the back and will have to be brought to the front in order to connect?

3) Borough Questions

- a) Why was the Borough SEO never brought in to review this document?
 - i) The review was conducted by 3 council members who have no experience in central sewage system requirements.
- b) When will we see an Economic impact study for businesses in the commercial district that do not need central sewage but will be forced to connect?
- c) When do we see a traffic impact study during construction and post construction?
- d) This is from the ACT537 ES P3-1:
 - i) An evaluation of existing on-lot disposal systems (OLDS) throughout the Study Area indicated that there is a need for improved wastewater disposal in Matamoras Borough, Westfall Township Southwest, Milford Township East, and Milford Borough. The results of these surveys are included in Chapter 3. The maps summarizing the results of the surveys are included in Appendix G. A complete summary of the results of the sanitary survey are presented in Appendix F.
 - ii) Based on the Data in chart 3.3 how does the above statement support Central Sewage for the commercial district in Milford Borough?
- e) If this ACT537 is adopted by the Borough Council, residential properties and business properties in the Milford Borough commercial district will be responsible for repair/replacement of Grinder pumps.
 - i) Claims have been made by HRG that pumps will last on average 8-12 years.
 - (1) Please explain in what types of conditions you get an average life span of 12 years, in other words how large where the holding tanks, how often would pumps turn on in a daily, weekly, monthly period.
 - (2) What are the specs on the pumps the Borough will need and with that the annual cost of electric?
 - (3) During a power failure how much back up is stored in the pump?
 - (4) What is the cost for connecting the grinder pump to an existing emergency generator?
 - (5) The replacement and installation cost are around \$4,000 - \$5,000. This data is from Acorn Park Neighborhood Asc., Prince William County, VA and the Citizens Energy Group. Do you agree or disagree with this historical data from 3 different sources? If you disagree please cite your sources and costing.
 - (6) With Grinder pumps there is the danger of hydrogen sulfide gasses being produced. Are there detectors for this? How would you remedy such a situation?

4) Costing to Residential and Commercial Properties

- a) In the ACT537 document ES p5 the statement is made that Westfall Township has to adopt their option 3B for running connections or the project will be cost prohibitive to Milford Borough. Has this option been adopted by Westfall?
- b) Further on p5 the following from paragraph 1:

- i) Alternative No. 6F would be financially feasible with a 45% grant and USDA financing with a monthly cost of \$76/EDU. The total project cost would be \$6,100,000. Additional grants or funding sources should be evaluated to lower the project costs were feasible.
- ii) Please explain how the \$76 dollar figure was derived
- iii) What would this mean for a residence or business using 1,000gal per month would they be charged for 5 EDU's, based on 1 EDU being 200gal, for that month?
- iv) What are the estimated additional charges for the following?
 - (1) Westfal treatment plant
 - (2) Milford water authority
 - (3) Additional cost from Milford Township not connecting?
- c) It has been stated in the Borough Q&A online document that there will be NO tap in fee if enough funding is secured? Is this correct, since HRG has stated on multiple occasions that there will be a tap in fee?
- d) The claim has also been made by the Borough that based on the funding secured not everyone in the commercial district will need to connect. That is completely counter to the HRG statements, again at multiple meetings, thatyou will never get funding unless there is a mandatory connection for everyone in the commercial district.

Summation and Objective:

The above comments are a sincere and well-thought-out effort to bring reasonable questioning to the central sewer subject in Milford Borough. Because there is an option: A time-specific moratorium because of Co-Vid and the lack of any need to rush, and the community value of having a period of non-action assuring the long-established pattern of the borough for natural economic growth, cultural enhancement, and residential living values.

Those of us under PCRG are individuals with a vested interest in the borough's fortunes. We are voters, taxpayers, property owners, and civic contributors. We sincerely believe that Milford Borough is threatened by central sewage and sprawl. Our objective here is to slow the municipal process in a responsible way, assuring the community that the borough council will make the best possible, fully vetted decision on this subject.

cc: Marshall Anders, Esq.
Anthony Magnotta, Esq.

On behalf of the PCRG:
Fred Weber, 315 West Ann
Bill Kiger, 600 Seventh
Milford, PA 18337
12-02-20

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from PCRG from 12/2/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below. **Although this group has refused to identify its members, the borough acknowledges two residents – Bill Kiger and Fred Weber – have identified themselves as members of this affinity group.**

Overriding Questions:

1. Continuity of government in an open and transparent manner is essential, but must be conducted differently in these extraordinary times. The State has recommended:
 - Consider live-streaming meetings through Facebook Live, Skype, GoToMeeting, or other platforms (Zoom).
 - To encourage less in-person attendance, provide alternative means for public comment, such as an email address where comments may be submitted in advance or a call-in number.

In 2020, it is common for municipalities throughout the State to be conducting their business through live-stream meetings. In addition, the Borough has successfully held multiple live-stream meetings, which in many cases makes it easier for residents and business owners to attend in the comfort of their homes, to present the Plan, to address questions and take comments. Recognizing the timeline of COVID restrictions and risks, the Borough feels it is appropriate to keep things moving forward on the Plan utilizing all the tools at our disposal to make sure things are handled in a fair and completely open and transparent manner. The Plan has been posted at the link: <http://tiny.cc/easterpike537> for 6-months at this point – a more accessible method than viewing one copy at a public office (minimum requirement) – and in addition, live-streamed public meetings throughout the State are showing larger numbers of attendees, not less, because residents and business owners can connect no matter where they are at or what they are doing. Through the public comment period, the Plan was advertised in the local paper and was available at the above link which was referenced in the advertisement and on the Borough's website.

2. Once the public comments have all been addressed and updates to the plan made as needed, the Borough Council will take a vote to adopt the Final Plan. Once adopted, the Final Plan will be submitted to the DEP for approval. Once the Act 537 is approved by the DEP and final funding and costs are determined, the Borough Council will take another vote.
3. *<see Fred Weber Responses>*

Act 537 and Public Statement Questions:

- A. The Act 537 Plan approval is voted by the Borough Council and is not a public referendum. There were two public hearings with a Zoom option included. In addition, the public comment period was advertised in the local paper, and only the public comment period and advertisement is required by the DEP.
- B. The Borough Council was elected by the residents of Milford Borough, and their decisions represent the residents of Milford Borough.
- C. Central sewer will help keep the restaurants in business and less likely to move. The restaurant owners have articulated that to the Council. Also see Fred Weber responses for clarification on justifications, and of course the Plan itself.
- D. See Fred Weber responses for clarification on justifications, and of course the Plan itself.

- E. The Westfall WWTP, is currently permitted and approved by the DEP and DRBC to discharge the additional effluent in the Plan without approaching its discharge limits. There is no history of permit violations. Pump systems in the Borough also are hauled to a private WWTP – that plant has a number of violations on record as outlined by the Delaware RiverKeepers – where the hauled waste is treated and effluent is discharged into the Delaware River. The privately owned poorly maintained, Pike County Environmental Enterprises WWTP is located just north of Matamoras Borough (upstream of Milford).
- F. See Fred Weber responses for clarification on justifications, and of course the Plan itself.

Q&A for HRG and Milford Borough Council on Central Sewage

- 1. Borough OLDS Survey - <see *Fred Weber responses*>
- 2. Engineering - <see *Fred Webber responses*>
- 3. Borough Questions - <see *Fred Weber responses*>
- 4. Costing to Residential and Commercial Properties - <see *Fred Weber responses*>

Bar, Alexander

From: Spatz, Mark
Sent: Wednesday, December 16, 2020 11:54 AM
To: Roberts, Matthew
Cc: Salmon, Cory
Subject: FW: Questions/comments re: Draft Act 537

Mspatz
570.851.2804 [office]
570.954.7589 [cell]

From: Laurie DiGeso <secretary@milfordpa.org>
Sent: Wednesday, December 16, 2020 11:45 AM
To: Spatz, Mark <mspatz@hrg-inc.com>
Subject: Fw: Questions/comments re: Draft Act 537

Good morning Mark,

Please see the questions/comments from Dale and Yana Thatcher below regarding the 537 plan.

Thank you,
Laurie DiGeso
Milford Borough secretary

From: Boro Secretary <Secretary@milfordboro.org>
Sent: Wednesday, December 16, 2020 10:39 AM
To: Laurie DiGeso <secretary@milfordpa.org>
Subject: FW: Questions/comments re: Draft Act 537

From: Yana Hupka [<mailto:yanahupka@yahoo.com>]
Sent: Tuesday, December 15, 2020 8:21 PM
To: Boro Secretary
Cc: Dale Thatcher
Subject: Questions/comments re: Draft Act 537

Hi Laurie, I hope you are doing well and getting ready for the holidays!

Can we submit the following questions on the Draft Act 537 through you? I think that is the instructions on the website but let me know if there is a different way that we should be doing this. Most of these were provided originally to Sean before his zoom meeting a couple of weeks ago, but we ran out of time on the call. Thanks a lot. Yana

1. One of the common objections to the sewer that our community has been focusing on is the recommendation to pursue a Low-pressure System with grinder pumps vs. Conventional Gravity Sewer. Is option 6B a Gravity Sewer option that is comparable to Option 6F, which is being proposed?

a) If not, which of the options discussed and priced in Chapter 5 of the Draft Act 537 are based on Conventional Gravity Sewer covering the same area as in the Option 6F that is currently recommended?

b) If 6B and 6F are comparable, given the potential limitations of Low Pressure system, what is expected cost of 6B (or a gravity sewer option) considering any anticipated grants/loans?

c) What is the cost to home/business owners of either of the above options (Low-Pressure System v Gravity)?

2. Below is an excerpt from the Draft Act 537 that discusses disadvantage of Low-Pressure System (see text highlighted below). How will the septic and odor problems will be avoided in the Borough?

5.2.1- Low-pressure Systems-

Low-pressure systems which rely on Grinder Pumps (GP) are an alternative to conventional gravity systems. The GP systems shred or reduce the size of raw wastewater solids, producing a pumpable slurry which is conveyed to the treatment plant through low-pressure sewer lines. Pressure sewers are most cost-effective in areas where the terrain is rolling, or the line needs to be close to the surface due to low depth to bedrock or a high water table. Pressure sewers have disadvantages such that the sewage may be septic and odor problems may arise depending on the length of the system. The homeowner would be responsible for the maintenance of their grinder pump.

3. How good do we feel about the waste projections given that for most of the areas in question the growth projections have not been updated in some time (see section 4.4)? Figures 5.1 and 5.2 show projected Hydraulic and Organic Loads up to July 2024, however, based on section 8.3 the implementation of the sewer does not take place until year 6-10, well beyond 2024. It is not clear to us whether even the imperfect growth projections noted in section 4.4 are considered in the graphs showing future use vs. maximum capacity. Please elaborate on these issues. We also think an estimate of what it would take to upgrade the Westfall Plant's capacity would be helpful for a discussion of future sustainability.

4. Has Milford Borough zoning code been reviewed to consider how central sewer might change the attractiveness of the Borough and whether additional zoning limitations should be considered? In multiple FAQs, it is pointed out that zoning is what controls development that is unwanted and/or feared by those opposed to the central sewer - in light of this, if zoning code has not been re-evaluated, when will it be?

5. Same as #4 as respects to Milford Township

6. Once the time comes, what is the Borough Council's plan on the process to make the decision to implement or not to implement central sewage? How will the Milford Borough property owners and residents be able to make their voices heard and how will the Council make sure that their decision is informed by those voices?

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comments from Yana Hupka from 12/15/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. 6B and 6D are gravity sewer options that are comparable to Alternative 6F. As far as direct cost comparisons, Alternatives 6B and 6D are significantly more costly per EDU. Without factoring in grants, which should be similar for either alternative, it would be \$165/EDU for Alternative 6B. It would be \$167/EDU for Alternative 6D. It would be \$139/EDU for Alternative 6F. As a result, Alternative 6F was the most effective alternative, which is why the Borough has selected that option. In both cases, the existing OLDS would need to be decommissioned. For Grinder Pumps, owners would need an electrical hook up for the Grinder Pump. The costs for installing the Grinder Pump are included in the project cost. For a gravity system, the owner would have to install piping from the back of their house to the right-of-way. No price estimates can be given since it will vary property to property. Property owner costs to hook up to the low-pressure system will be less than if a gravity system alternative were selected due to the fact that the project is taking on the purchase and installation cost of the grinder pump for each property. Anticipated grant/loan information can be found in Chapter 8 of the study.
2. The wording on this paragraph has been corrected. It should not be a concern in the Borough, especially in comparison to the existing cesspools and septic tanks.
3. The growth projections have been updated to match the latest census data. Figures 5.1 and 5.2 were part of the standard Chapter 94 Hydraulic and Organic Loading graphs which go out to 5 years. The projections for the 5 years include the three selected Alternatives for Matamoras Borough, Westfall Township, and Milford Borough. As a result, it is shown in the Figures that with the extensions, there is still significant capacity available. At this time and without knowing potential future extensions, it would not be possible to accurately estimate the costs to upgrade the Plant's capacities; nor is it warranted or needed at this time.
4. The Milford Borough Planning Commission indicated that they will update their Zoning ordinance when they reviewed the Plan.
5. Out of jurisdiction.
6. The Council is receiving these comments during the 30-day public comment period and will respond to each one. All public comments will be included in the Final Plan as well.

Hi Cindy! We would like to submit the following questions for Sean prior to the zoom call on Friday:

1. Our understanding from a review of proposed alternative 6F is that Low Pressure lines with grinders will be used to convey the waste for Milford Borough; these Low Pressure lines will run along E&W Harford St and on Gooseberry & Blackberry Alleys. Is that correct?
2. If our understanding is correct, we would like to understand why a Low-pressure System was picked vs. Conventional Gravity Sewer. In particular, in addition to the discussion regarding the cost of maintenance of the grinders, we are concerned regarding the disadvantage of Low-Pressure System that is noted in the current Draft Act 537 Plan (see text highlighted below) and would like to understand how the septic and odor problems will be avoided in the Borough.

-Maintenance cost of grinder pumps identified

Information publically available on the grinder pumps identified for this indicates 13 to 19 years mean time to repair and that the repairs are not replacement but actual replacement of gaskets, sensors. Pumps themselves can be rebuilt at a cost much less than replacement and at an average of 20 years. There are over 50 years of information on these pumps in cities. They were designed for this purpose and are not just a retrofit sump pump. Westfall has been using them in their own deployments.

5.2.1- Low-pressure Systems-

Low-pressure systems which rely on Grinder Pumps (GP) are an alternative to conventional gravity systems. The GP systems shred or reduce the size of raw wastewater solids, producing a pumpable slurry which is conveyed to the treatment plant through low-pressure sewer lines. Pressure sewers are most cost-effective in areas where the terrain is rolling, or the line needs to be close to the surface due to low depth to bedrock or a high water table. Pressure sewers have disadvantages such that the sewage may be septic and odor problems may arise depending on the length of the system. The homeowner would be responsible for the maintenance of their grinder pump.

3. As part of FAQs, one of the reasons cited for pursuing a central sewer solution is the current cost of waste pumping for some of the Borough's businesses: "A plan is needed for eventual sewage failures on the small lots in the commercial district. There has been no viable on-lot solution for the businesses, most at risk, that are already spending \$40,000 to \$50,000 a year pumping sewage. Given the quantities of wastewater produced, this situation will eventually expand to other businesses in this district." We understand the need to continue to invigorate Milford's commercial district, however, given the increase in property values of the commercial district as a result of a sewer installation and the fact that only some of the current businesses will truly benefit from a central sewer (both operationally and in increase in property values), how is the cost of this project, if accepted, to be spread commensurably to the benefit that each business receives? It doesn't make sense to have the costs shared equally when the benefits will be disproportionately concentrated to only a few businesses.

4. How good do we feel about the waste projections given that for most of the areas in question the growth projections have not been updated in some time (see section 4.4)? Figures 5.1 and 5.2 show projected Hydraulic and Organic Loads up to July 2024, however, based on section 8.3 the implementation of the sewer does not take place until year 6-10, well beyond 2024. It is not clear to us whether even the imperfect growth projections noted in section 4.4 are considered in the graphs showing future use vs. maximum capacity. Please elaborate on these issues. We also think an estimate of what it would take to upgrade the Westfall Plant's capacity would be helpful for a discussion of future sustainability. Even if the plant is upgraded to handle more, can the river really handle more?

5. ~~4.~~ In multiple FAQs, it is pointed out that zoning is what controls development that is unwanted and/or feared by those opposed to the central sewer - given this, how strong are Milford Borough's zoning rules and has it been reviewed to assure that it is strong enough to thwart the

6. Do we really understand the potential unintended consequences of Milford Township development that is facilitated by the sewer though we would have no ability to influence it? The infrastructure resources that the Township uses impact the Borough as do the aesthetic decisions that are made by

either one. It is imperative that the Borough understands the consequences of Township decisions and positions itself in a way that protects our community.

7. Though the Westfall plant is rated for sufficient throughput to accommodate this project, when was that assessment done? Is the plant a one stage, two stage or three stage plant? Although the sewage is “treated” is that really better dumping that sewage into the river than the current sewage that is sifted and filtered through many layers of silt before slowly leaching into the Delaware?

8. Has an evaluation been done on the thermal pollution aspects of an increase in the throughput of the Westfall plant?

9. Once the time comes, what is the Borough Council’s plan on the process to make the decision to implement or not to implement central sewage? How will the Milford Borough property owners and residents be able to make their voices heard and how will the Council make sure that their decision is informed by those voices?

Thanks a lot and we look forward to the discussion.

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the comments from Thatcher in December 2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The low-pressure lines will run along East and West Harford Street and on Gooseberry and Blackberry Alleys. A map of the proposed Alternative 6F is located in Appendix I.
2. 6B and 6D are gravity sewer options that are comparable to Alternative 6F. As far as direct cost comparisons, Alternatives 6B and 6D are significantly more costly per EDU. Without factoring in grants, which should be similar for either alternative, it would be \$165/EDU for Alternative 6B. It would be \$167/EDU for Alternative 6D. It would be \$139/EDU for Alternative 6F. As a result, Alternative 6F was the most effective alternative, which is why the Borough has selected that option. In both cases, the existing OLDS would need to be decommissioned. For Grinder Pumps, owners would need an electrical hook up for the Grinder Pump. The costs for installing the Grinder Pump are included in the project cost. For a gravity system, the owner would have to install piping from the back of their house to the right-of-way. No price estimates can be given since it will vary property to property. Property owner costs to hook up to the low-pressure system will be less than if a gravity system alternative were selected due to the fact that the project is taking on the purchase and installation cost of the grinder pump for each property. Odor concerns were clarified in paragraph 5.2.1 to be downstream concerns (Westfall) for which an odor control unit already exists. Odor issues in the Borough should be less than that of cesspools.
3. The costs are equally shared per EDU, which is based on 200 GPD. A business that has a higher sewage demand will pay more monthly than a smaller business.
4. The growth projections have been updated to match the latest census data. Figures 5.1 and 5.2 were part of the standard Chapter 94 Hydraulic and Organic Loading graphs which go out to 5 years. The projections for the 5 years include the three selected Alternatives for Matamoras Borough, Westfall Township, and Milford Borough. As a result, it is shown in the Figures that with the extensions, there is still significant capacity available. At this time and without knowing potential future extensions, it would not be possible to accurately estimate the costs to upgrade the Plant's capacities. As far as the plant upgrades, the DEP would need to approve of them, and if the river could not handle the increase discharge, the DEP would not approve of those upgrades.
5. Milford Borough Planning Commissions made comments about updating their Zoning ordinance as they reviewed the Plan.
6. Milford Township will have no connections. As a result, sewer will not affect Milford Township development.
7. The MATW WWTP's NPDES Permit became effective on September 1, 2019 and is effective through August 31, 2024. It is a 4-stage wastewater treatment system that is highly regulated to meet DEP and DRBC discharge requirements for the Delaware River. This is as apposed to legacy, unpermitted, cesspool systems of unknow, Suspected Failure, status as defined by the DEP.
8. This is outside the scope of the Act 537 Plan. The Westfall WWTP discharge meets all DEP and DRBC permit requirements.
9. The Borough Council will vote on implementing central sewage. The Council has listen to the public through a public comment period and public Council meetings. The Council has also surveyed the community through the recent work to update the Comprehensive Plan, where survey results indicate the community as a whole is in support of a public sewer alternative; which is also consistent with the current comprehensive and joint planning with Milford Township.

TO MILFORD BOROUGH

FROM KEVIN T. STROYAN
405 W. HANFORD ST

Questions/Concerns/Recommendations

MILFORD
Act 537 Plan

PA 18337

12/2020

1. Given the current state of affairs regarding the pandemic of Covid 19 whereby citizens are highly encouraged to remain at home, we feel it fair, and necessary to maintain our democratic way of life to hold off any public comment period until such time as public gatherings are reinstituted. *In the spirit of public involvement, a list of acronyms and abbreviations at the end of this document.
2. The Planning Commission respectfully requests a written response from HRG concerning (each of) our comments and questions.
3. The word "SHALL" in the second item of the Executive Summary needs to be eliminated, as it is inconsistent with the body of the document in which Milford Borough is not implementing the OLDS ordinance, rather is instead conducting a five-year long study. The word "SHALL" makes the implementation mandatory, and Milford Borough clearly is not planning to implement such an ordinance.
4. If this plan is approved, a new inter-municipal agreement will be signed, and the contents of this agreement are not stated. There are 4 municipalities and 2 municipal authorities. Who would run this Board? How will people be appointed? Will each municipality and authority have a seat at the table? Who will have control?
5. The engineer admitted that reviewing 1,200 pages, which constitutes ordinances and comprehensive plans of Municipalities of this 1,600 page document, is not needed. Why are these 1,200 pages included in the document? What portions or provisions of those documents will be used to support the 537 Plan? Comprehensive plans and ordinances are living documents that are in review and constant change. It is not clear why those documents at this time would be useful after they are changed. Can they be removed and why shouldn't they be removed?
6. Comments on the task activity report (TAR) have not been received from DEP or Delaware River Basin Commission (DRBC). Furthermore, both agencies should have been consulted prior to any formal planning or studies being conducted. Where is the supporting documentation of those meetings and comments from both?
7. Isn't the first step to this process supposed to be a substantiation for this study ie. ground failure, known as an "anti-degradation letter." Was such a letter submitted to DEP and if so, please provide a copy. If this step was omitted, please explain.
8. Has the power company been notified of any proposed or emergency impact on their infrastructure?

9. #1 Recommendation (Alternatives) – By going with the grinder pump system the burden of maintenance and repairs falls on the property owner. Added pressure to the property owner mounts when the electric goes out and there is no generator on site. The extra expense of installing a generator would be the burden of the property owner. With grinder pumps, depending on the length to the main line, odor can be an issue. This has not been discussed, please explain in detail. It is also proposed that these two horsepower grinder pumps will be placed in 50 gallon tanks, which will result in frequent start up and shut off which will diminish the life of the pump. The constant start up and running will also increase the electricity use, which is not addressed in the document. Multi-tenant properties will have to have the grinder pumps on the 'house' electricity account.
10. If the plan called for gravity feed, and only several pump stations throughout the system, all of the previously stated grinder pump alternative concerns should be eliminated, correct?
11. It is indicated in the Plan that each EDU is based on 200 gallons per day. A study was done in Milford Borough a few years ago and the average gallons per day was 230 – 250. The national average is 265 gallons. So where did the #200 gallons derive from? Why should this number be used rather than the standard national average? How would using the national average impact the proposed project? Given the smaller number is being used, if it is short of actual usage, how does that impact the capacity, pump station and pipe planning and peak flow planning in this document?
12. \$72 per EDU. Please clarify this fee schedule. We don't know what the wholesale price is for Westfall Municipal Authority or the Milford Municipal Authority. Will this be the same fee for everyone? OR, will there be different fee structures? There is a maximum reasonable charge based on average household incomes; how does that get calculated in this multi-municipal project and how does that compare to this proposal? How would it compare if the price is adjusted due to the EDU gallonage being national average?
13. There is no Impact Statement on development. The impact on the development, preexisting lots, and density needs to be included in the document. What impact on development will the sewage have on preexisting land? When will the system be at capacity? Milford Borough has suggested expanding lot coverage from 35 to 50% due to the availability of sewer infrastructure, which would allow increased size of houses and more bedrooms. Currently, sewage capacity drives the maximum size of the house and number of bedrooms. If the Borough makes this change, this will increase the sewage output from these properties. How will that impact the system capacity and the planning for pump stations, etc.? What recommendations would be made to the Borough and the Township in that regard?

14. A massive expansion would allow restaurants to be able to provide more meals in a day and residential housing to expand. How much capacity does the facility have right now? Is there availability for expansion of the volume of effluent to be treated? Do the municipalities need to prioritize or control the growth to keep the system within its capacity? How far ahead would the municipal authority need to begin planning the expansion of the plant's capacity to ensure it was prepared before capacity is reached and how would the costs of that expansion and planning be shared / allocated? Should each municipality be given an apportionment of the growth capacity or is it first come first serve?
15. A widespread confirmation of on-lot disposal system failures was not confirmed, and according to DEP, we do not have ground failures here; we only have system failures. Why is \$6-12 million expansion of sewage happening? USDA and PennVEST loans (or a combination of the two loans) can be used to solve the issue of a small number of on-lot sewage failures. Fixing the on-lot sewage works when frequent pump outs become necessary. We have good soil for drainage.
16. What other clear alternatives, other than some type of central sewage were considered? How has Westfall Township benefitted from the 20 years hooked up to central sewage? Have they provided high quality and family supporting jobs?
17. The location of the lines in streets and alleys needs to be clearly defined. How do we pick a definite route for pipes, etc. 10 years in advance?
18. The Borough says there will be no tapping fee. However, the tapping fee cannot be waived by the Borough since this fee goes to the Municipal Authority to be used for capital improvements. The Borough might get grants, but that does not mean that the tapping fee can be avoided? How can it be implied that there will be no tapping fee when the fee is unavoidable?
19. Table 3.3 Summary of Tier 2 Survey Malfunction Categories - there is no cross referencing of the recommended sewer expansion area with the numbers referenced here. Accordingly, it is not possible to ascertain whether or how many of these properties have the potential to be served or would be mandated to be served by the expansion of sewer service as it is being recommended.
20. 3.3.2 Well Water Survey – indicates there are “no properties within the planning area that are serviced by private wells...” – there is no cross referencing of the OLDS surveyed against their specific water usage to ensure they are indeed served by public water. This is a particular challenge in Milford Township wherein the majority of the properties are not served by the public water system and the portion of Westfall Township that this expansion includes, an area which is currently in its majority not

served by the Milford Water Authority or the Matamoras Water Authority. Further, one Milford Township development near the path of the planned expansion area has a well that is immediately adjacent to the planning area, is not currently served by municipal water because the MWA and the development did not reach an agreement for service adequate to both sides, and reportedly has a Court Order that will require their septic sewage land area to be deeded back to the developer should central sewer become available.

21. Page 4-3 Land Use Plan – “Capacity at the MATW WWTP has been reserved [for the Katz Uses] but the land has not been developed”. Do the capacity projections in the plan include the Katz reserved capacity or exclude that capacity as the development has not happened yet? Would the Katz reserve capacity, in tandem with the recommended expansion area, cause the WWTP to exceed its DRBC & DEP approved capacity?
22. Page 4-7 4.1.2 Land Use Conservation – “existing subdivisions in Milford Township are full.” This is a misstatement of fact. Perhaps it would be more accurate if the statement were limited to the developments along the recommended path and immediately adjacent to the sewer expansion area as proposed.
23. 4.4 Page 4-23 Table 4.11 Population History and Projections – does not note that the County’s projections were not realized for 2010 and the County does not even seem likely to have reached the 2010 projections by 2020, rather experienced a significant change in the pattern. It is important to note that, so as not to misrepresent the growth of the area and the resultant demand for infrastructure.
24. 4.5 Wastewater projection Page 4-23 – DVHS is based on an annual average. Does this present an issue considering the annual average is utilizing significantly lower activity and could distort calculations for peak flow planning?
25. 4.6 Summary of Wastewater Planning Needs – Page 4-24 States that Milford Township is served “entirely by OLDS,” would it not be more accurate to say OLD/COLDS?
26. 5.2 States there are 10 potential connections from where the line currently ends at McDonald’s to the Milford Township line. This is not an accurate statement. 1. DV Complex 2. Village Diner 3. Milford Senior Care 4. Have a Hoot 5. Crossfit 6. Kitattinny Campground 7. Westfall Professional Building 8. Tschopp’s 9. Pierce House 10. Office Bldg 11. Mobile Home Park and industrial building 12. Music Center 13. Sequoia Tree 14. Residence next to tree service 15. Pike County Light & Power 16. Sunshine Station 17. Tractor Supply 18. Scottish Inn/Fairbanks Inn – it should be noted this does not include any in fill of vacant properties of which there are several. If there are 10 potential connections because of some response from the property owners or another particular reason, that should be noted. If Westfall Township implements a mandatory hook up ordinance as is being recommended, how would these additional

properties, not currently served by public water, impact the capacity and flow recommendations and pump station capacity?

27. Alternative 4A says 33,500 gallons per day but Alternative 4C says the same connections but shows 22,600 gallons per day. Why is that?
28. The Broad Street option shows 49 connections but the 4D option of using the alleys shows 68. Are these additional connections commercial as well? *[How many of these additional properties to be connected are currently owned by public officials?]*
29. 5-4 How is it that Alternative 6F originally (in the June version of the plan) says 48 residential connections and though nothing else has changed in its description it now says only 19 residential connections?
30. How is it that Alternative 7 originally showed 123 commercial connections in the June version but now it shows 134?
31. Figure 5.2 “Projected Organic Loads” shows a spike at October 2019. Why did it spike in October of 2019? Is that 1000 gallons per day?
32. 5.2 Pg. 5-6 Typo – Price Chopper, not Shopper
33. 5.2.1 Conventional Gravity Sewers states the feasibility of conventional gravity is dependent on high groundwater tables... Was there a review of a groundwater study to cross reference with the planned areas to the system? Where did they identify that as an issue?
34. 5.2.1 Low Pressure Systems – What is meant by “sewage may be septic?” “Odor problems” typically arise at what length? This has a huge potential for quality of life deterioration and negative impact on tourism!
35. 5.2.1. LPS When discussing grinder pump systems – Is 50 gallons sufficient for the fiberglass basin? How fast would 50 gallons fill in a power outage in an average home? Would the basin size be regulated and by whom or what? Who determines the type of pump (there are two listed)? Benefits and drawbacks of each type?
36. How many of the “suspected failures” shown on the chart are in the proposed sewer area?
37. The proposed system includes manholes every 400 feet and at every change in direction. What are the maintenance requirements for these manholes and what types of problems can arise from them? Sinkholes? Stormwater management issues? Are these maintenance requirements born by the Authorities or the municipalities and are the

maintenance costs factored into the costs outlined in this plan? What would be the description and/or the design of these manholes being it's a 6 inch line.

38. Where exactly on E Harford Street does the system end?
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64. Didn't the DEP require the new intermunicipal agreement, which covers the governance, costs and authorizes the breakdown of roles, responsibilities and authority across the municipal authorities and municipalities prior to finalization of the TAR and this Plan? Who is to take the onus on drafting that Agreement (and paying for the drafting)? Why should Milford Township finalize this Plan for approval by DEP and be held to it when we do not know how we will be treated by the other entities in the proposed Agreement and whether we will have representation with whatever entity(ies) are given authority over the proposed system? We currently have none on the MWA though the Borough has allowed a township resident/property owner appointee of their choosing, from time to time. 5.11 Pg. 5-41 Conclusions indicates "Once the sewage rates are set and agreed upon, it is not anticipated that there will be any other complications regarding the inter-municipal agreement." Representation on a Board(s) that will have autonomous future authority over fees these township property owners will have no choice once hooked up to pay, and the handling of capacity, prioritization of new development in available capacity etc. are all important "complications" to that Agreement.
65. Pg. 5-37 Table 5-23 includes the cost for 67 test pits @ \$550 each. Does that cost include the restoration cost for those test pits and average out over the cost of the whole 67 (as it seems test pits would be dug in streets, alleys, curbs).

66. Pg. 5-37 Table 5-23 includes 191 curb stops and check valves but there are 284 EDUs being connected. Some users are more than one EDU but how was that number derived? Is it 191 properties?
67. It is unclear if this plan will replace the existing Milford Township Act 537 Plan and become, once approved, the sole Act 537 Plan for Milford Township, which is a concern as it focuses almost entirely on the "Planning Area" and this document requires an OLDS ordinance, a Holding Tank ordinance and it says there will be no community systems. We currently have an informal proposal that includes a COLDS system, in the planning area. Could Milford Township be forced to pay for the line extension to that property should we adopt this plan which prohibits a COLDS system, whilst the infrastructure to replace it has not yet been provided. Doesn't DEP and DRBC prefer to have COLDS systems than discharging into the Delaware?
68. Please supply a list of the professionals that have had responsibility to review this document and their association with each/any government entity including the County, who is the primary funding agency for this Plan.

Due to the limited time constraints on this project, we have done the best we can to present you with the above findings. Having more time would have enabled us to review more thoroughly the graphs and charts accompanying this Plan as well as scrutinizing the printed word with more care.

Acronyms and abbreviations:

DEP – Department of Environmental Protection
DRBC – Delaware River Basin Commission
OLDS – On Lot Distribution System
COLDS – Community On Lot Distribution System
Perk – Percolation test for the rate of permeability into the soil
TAR – Task Activity Report
HRG – Herbert Rowland and Grubic Engineering firm
EDU – Equivalent Dwelling Unit (in gallons)
GPD – Gallons per day
LPS – Low Pressure System
USDA – United States Department of Agriculture
PENNVEST – Pennsylvania Infrastructure Investment Authority
MATW – Municipal Authority of Westfall
MWA – Milford Water Authority
WWTP – Wastewater Treatment Plant
DVHS – Delaware Valley High School
OLSS – On Lot Septic System
Tapping Fee – the price for tying into the main line

THIS IS MILFORD TWP
PLANNING COMMISSION RESPONSE TO
MILFORD TWP SUPERVISORS.

IT REFLECTS MY PERSONAL QUESTIONS
TO MILFORD BOROUGH AND A
RESPONSE IS RESPECTFULLY REQUESTED
TO ME PERSONALLY.



KEVIN T. STROYAN

1. Given the current state of affairs regarding the pandemic of Covid 19 whereby citizens are highly encouraged to remain at home, we feel it fair, and necessary to maintain our democratic way of life to hold off any public comment period until such time as public gatherings are reinstituted. *In the spirit of public involvement, a list of acronyms and abbreviations at the end of this document.
2. The Planning Commission respectfully requests a written response from HRG concerning (each of) our comments and questions.
3. The word “SHALL” in the second item of the Executive Summary needs to be eliminated, as it is inconsistent with the body of the document in which Milford Borough is not implementing the OLDS ordinance, rather is instead conducting a five-year long study. The word “SHALL” makes the implementation mandatory, and Milford Borough clearly is not planning to implement such an ordinance.
4. If this plan is approved, a new inter-municipal agreement will be signed, and the contents of this agreement are not stated. There are 4 municipalities and 2 municipal authorities. Who would run this Board? How will people be appointed? Will each municipality and authority have a seat at the table? Who will have control?
5. The engineer admitted that reviewing 1,200 pages, which constitutes ordinances and comprehensive plans of Municipalities of this 1,600 page document, is not needed. Why are these 1,200 pages included in the document? What portions or provisions of those documents will be used to support the 537 Plan? Comprehensive plans and ordinances are living documents that are in review and constant change. It is not clear why those documents at this time would be useful after they are changed. Can they be removed and why shouldn't they be removed?
6. Comments on the task activity report (TAR) have not been received from DEP or Delaware River Basin Commission (DRBC). Furthermore, both agencies should have been consulted prior to any formal planning or studies being conducted. Where is the supporting documentation of those meetings and comments from both?
7. Isn't the first step to this process supposed to be a substantiation for this study ie. ground failure, known as an “anti-degradation letter.” Was such a letter submitted to DEP and if so, please provide a copy. If this step was omitted, please explain.
8. Has the power company been notified of any proposed or emergency impact on their infrastructure?

9. #1 Recommendation (Alternatives) – By going with the grinder pump system the burden of maintenance and repairs falls on the property owner. Added pressure to the property owner mounts when the electric goes out and there is no generator on site. The extra expense of installing a generator would be the burden of the property owner. With grinder pumps, depending on the length to the main line, odor can be an issue. This has not been discussed, please explain in detail. It is also proposed that these two horsepower grinder pumps will be placed in 50 gallon tanks, which will result in frequent start up and shut off which will diminish the life of the pump. The constant start up and running will also increase the electricity use, which is not addressed in the document. Multi-tenant properties will have to have the grinder pumps on the ‘house’ electricity account.
10. If the plan called for gravity feed, and only several pump stations throughout the system, all of the previously stated grinder pump alternative concerns should be eliminated, correct?
11. It is indicated in the Plan that each EDU is based on 200 gallons per day. A study was done in Milford Borough a few years ago and the average gallons per day was 230 – 250. The national average is 265 gallons. So where did the #200 gallons derive from? Why should this number be used rather than the standard national average? How would using the national average impact the proposed project? Given the smaller number is being used, if it is short of actual usage, how does that impact the capacity, pump station and pipe planning and peak flow planning in this document?
12. \$72 per EDU. Please clarify this fee schedule. We don’t know what the wholesale price is for Westfall Municipal Authority or the Milford Municipal Authority. Will this be the same fee for everyone? OR, will there be different fee structures? There is a maximum reasonable charge based on average household incomes; how does that get calculated in this multi-municipal project and how does that compare to this proposal? How would it compare if the price is adjusted due to the EDU gallonage being national average?
13. There is no Impact Statement on development. The impact on the development, preexisting lots, and density needs to be included in the document. What impact on development will the sewage have on preexisting land? When will the system be at capacity? Milford Borough has suggested expanding lot coverage from 35 to 50% due to the availability of sewer infrastructure, which would allow increased size of houses and more bedrooms. Currently, sewage capacity drives the maximum size of the house and number of bedrooms. If the Borough makes this change, this will increase the sewage output from these properties. How will that impact the system capacity and the planning for pump stations, etc.? What recommendations would be made to the Borough and the Township in that regard?

14. A massive expansion would allow restaurants to be able to provide more meals in a day and residential housing to expand. How much capacity does the facility have right now? Is there availability for expansion of the volume of effluent to be treated? Do the municipalities need to prioritize or control the growth to keep the system within its capacity? How far ahead would the municipal authority need to begin planning the expansion of the plant's capacity to ensure it was prepared before capacity is reached and how would the costs of that expansion and planning be shared / allocated? Should each municipality be given an apportionment of the growth capacity or is it first come first serve?
15. A widespread confirmation of on-lot disposal system failures was not confirmed, and according to DEP, we do not have ground failures here; we only have system failures. Why is \$6-12 million expansion of sewage happening? USDA and PennVEST loans (or a combination of the two loans) can be used to solve the issue of a small number of on-lot sewage failures. Fixing the on-lot sewage works when frequent pump outs become necessary. We have good soil for drainage.
16. What other clear alternatives, other than some type of central sewage were considered? How has Westfall Township benefitted from the 20 years hooked up to central sewage? Have they provided high quality and family supporting jobs?
17. The location of the lines in streets and alleys needs to be clearly defined. How do we pick a definite route for pipes, etc. 10 years in advance?
18. The Borough says there will be no tapping fee. However, the tapping fee cannot be waived by the Borough since this fee goes to the Municipal Authority to be used for capital improvements. The Borough might get grants, but that does not mean that the tapping fee can be avoided? How can it be implied that there will be no tapping fee when the fee is unavoidable?
19. Table 3.3 Summary of Tier 2 Survey Malfunction Categories - there is no cross referencing of the recommended sewer expansion area with the numbers referenced here. Accordingly, it is not possible to ascertain whether or how many of these properties have the potential to be served or would be mandated to be served by the expansion of sewer service as it is being recommended.
20. 3.3.2 Well Water Survey – indicates there are “no properties within the planning area that are serviced by private wells...” – there is no cross referencing of the OLDS surveyed against their specific water usage to ensure they are indeed served by public water. This is a particular challenge in Milford Township wherein the majority of the properties are not served by the public water system and the portion of Westfall Township that this expansion includes, an area which is currently in its majority not

served by the Milford Water Authority or the Matamoras Water Authority. Further, one Milford Township development near the path of the planned expansion area has a well that is immediately adjacent to the planning area, is not currently served by municipal water because the MWA and the development did not reach an agreement for service adequate to both sides, and reportedly has a Court Order that will require their septic sewage land area to be deeded back to the developer should central sewer become available.

21. Page 4-3 Land Use Plan – “Capacity at the MATW WWTP has been reserved [for the Katz Uses] but the land has not been developed”. Do the capacity projections in the plan include the Katz reserved capacity or exclude that capacity as the development has not happened yet? Would the Katz reserve capacity, in tandem with the recommended expansion area, cause the WWTP to exceed its DRBC & DEP approved capacity?
22. Page 4-7 4.1.2 Land Use Conservation – “existing subdivisions in Milford Township are full.” This is a misstatement of fact. Perhaps it would be more accurate if the statement were limited to the developments along the recommended path and immediately adjacent to the sewer expansion area as proposed.
23. 4.4 Page 4-23 Table 4.11 Population History and Projections – does not note that the County’s projections were not realized for 2010 and the County does not even seem likely to have reached the 2010 projections by 2020, rather experienced a significant change in the pattern. It is important to note that, so as not to misrepresent the growth of the area and the resultant demand for infrastructure.
24. 4.5 Wastewater projection Page 4-23 – DVHS is based on an annual average. Does this present an issue considering the annual average is utilizing significantly lower activity and could distort calculations for peak flow planning?
25. 4.6 Summary of Wastewater Planning Needs – Page 4-24 States that Milford Township is served “entirely by OLDS,” would it not be more accurate to say OLD/COLDS?
26. 5.2 States there are 10 potential connections from where the line currently ends at McDonald’s to the Milford Township line. This is not an accurate statement. 1. DV Complex 2. Village Diner 3. Milford Senior Care 4. Have a Hoot 5. Crossfit 6. Kitattinny Campground 7. Westfall Professional Building 8. Tschopp’s 9. Pierce House 10. Office Bldg 11. Mobile Home Park and industrial building 12. Music Center 13. Sequoia Tree 14. Residence next to tree service 15. Pike County Light & Power 16. Sunshine Station 17. Tractor Supply 18. Scottish Inn/Fairbanks Inn – it should be noted this does not include any in fill of vacant properties of which there are several. If there are 10 potential connections because of some response from the property owners or another particular reason, that should be noted. If Westfall Township implements a mandatory hook up ordinance as is being recommended, how would these additional

properties, not currently served by public water, impact the capacity and flow recommendations and pump station capacity?

27. Alternative 4A says 33,500 gallons per day but Alternative 4C says the same connections but shows 22,600 gallons per day. Why is that?
28. The Broad Street option shows 49 connections but the 4D option of using the alleys shows 68. Are these additional connections commercial as well? *[How many of these additional properties to be connected are currently owned by public officials?]*
29. 5-4 How is it that Alternative 6F originally (in the June version of the plan) says 48 residential connections and though nothing else has changed in its description it now says only 19 residential connections?
30. How is it that Alternative 7 originally showed 123 commercial connections in the June version but now it shows 134?
31. Figure 5.2 “Projected Organic Loads” shows a spike at October 2019. Why did it spike in October of 2019? Is that 1000 gallons per day?
32. 5.2 Pg. 5-6 Typo – Price Chopper, not Shopper
33. 5.2.1 Conventional Gravity Sewers states the feasibility of conventional gravity is dependent on high groundwater tables... Was there a review of a groundwater study to cross reference with the planned areas to the system? Where did they identify that as an issue?
34. 5.2.1 Low Pressure Systems – What is meant by “sewage may be septic?” “Odor problems” typically arise at what length? This has a huge potential for quality of life deterioration and negative impact on tourism!
35. 5.2.1. LPS When discussing grinder pump systems – Is 50 gallons sufficient for the fiberglass basin? How fast would 50 gallons fill in a power outage in an average home? Would the basin size be regulated and by whom or what? Who determines the type of pump (there are two listed)? Benefits and drawbacks of each type?
36. How many of the “suspected failures” shown on the chart are in the proposed sewer area?
37. The proposed system includes manholes every 400 feet and at every change in direction. What are the maintenance requirements for these manholes and what types of problems can arise from them? Sinkholes? Stormwater management issues? Are these maintenance requirements born by the Authorities or the municipalities and are the

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62. Pg. 5-41 5.11 Conclusions – “along Pennsylvania is” should be along Pennsylvania Avenue.
63. Pg. 5-41 5.11 Conclusions – “Because Westfall Township will not institute a mandatory connection ordinance...” – How does Westfall Township Ordinance. No 109 enacted 5/7/2002 as denoted on Pg. 1-3 #12 differ from such a mandatory connection ordinance?
64. Didn’t the DEP require the new intermunicipal agreement, which covers the governance, costs and authorizes the breakdown of roles, responsibilities and authority across the municipal authorities and municipalities prior to finalization of the TAR and this Plan? Who is to take the onus on drafting that Agreement (and paying for the drafting)? Why should Milford Township finalize this Plan for approval by DEP and be held to it when we do not know how we will be treated by the other entities in the proposed Agreement and whether we will have representation with whatever entity(ies) are given authority over the proposed system? We currently have none on the MWA though the Borough has allowed a township resident/property owner appointee of their choosing, from time to time. 5.11 Pg. 5-41 Conclusions indicates “Once the sewage rates are set and agreed upon, it is not anticipated that there will be any other complications regarding the inter-municipal agreement.” Representation on a Board(s) that will have autonomous future authority over fees these township property owners will have no choice once hooked up to pay, and the handling of capacity, prioritization of new development in available capacity etc. are all important “complications” to that Agreement.
65. Pg. 5-37 Table 5-23 includes the cost for 67 test pits @ \$550 each. Does that cost include the restoration cost for those test pits and average out over the cost of the whole 67 (as it seems test pits would be dug in streets, alleys, curbs).

66. Pg. 5-37 Table 5-23 includes 191 curb stops and check valves but there are 284 EDUs being connected. Some users are more than one EDU but how was that number derived? Is it 191 properties?
67. It is unclear if this plan will replace the existing Milford Township Act 537 Plan and become, once approved, the sole Act 537 Plan for Milford Township, which is a concern as it focuses almost entirely on the “Planning Area” and this document requires an OLDS ordinance, a Holding Tank ordinance and it says there will be no community systems. We currently have an informal proposal that includes a COLDS system, in the planning area. Could Milford Township be forced to pay for the line extension to that property should we adopt this plan which prohibits a COLDS system, whilst the infrastructure to replace it has not yet been provided. Doesn’t DEP and DRBC prefer to have COLDS systems than discharging into the Delaware?
68. Please supply a list of the professionals that have had responsibility to review this document and their association with each/any government entity including the County, who is the primary funding agency for this Plan.

Due to the limited time constraints on this project, we have done the best we can to present you with the above findings. Having more time would have enabled us to review more thoroughly the graphs and charts accompanying this Plan as well as scrutinizing the printed word with more care.

Acronyms and abbreviations:

DEP – Department of Environmental Protection
DRBC – Delaware River Basin Commission
OLDS – On Lot Distribution System
COLDS – Community On Lot Distribution System
Perk – Percolation test for the rate of permeability into the soil
TAR – Task Activity Report
HRG – Herbert Rowland and Grubic Engineering firm
EDU – Equivalent Dwelling Unit (in gallons)
GPD – Gallons per day
LPS – Low Pressure System
USDA – United States Department of Agriculture
PENNVEST – Pennsylvania Infrastructure Investment Authority
MATW – Municipal Authority of Westfall
MWA – Milford Water Authority
WWTP – Wastewater Treatment Plant
DVHS – Delaware Valley High School
OLSS – On Lot Septic System
Tapping Fee – the price for tying into the main line

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed Mr. Stroyan's and Ms. Lutfy's comment letter from 12/31/2020, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Continuity of government in an open and transparent manner is essential, but must be conducted differently in these extraordinary times. The State has recommended:
 - Consider live-streaming meetings through Facebook Live, Skype, GoToMeeting, or other platforms (Zoom).
 - To encourage less in-person attendance, provide alternative means for public comment, such as an email address where comments may be submitted in advance or a call-in number.

In 2020, it is common for municipalities throughout the State to be conducting their business through live-stream meetings. In addition, the other municipal stakeholders within the regional plan have successfully held live-stream meetings, which in many cases makes it easier for residents and business owners to attend in the comfort of their homes, to present the Plan, to address questions and take comments. Recognizing the timeline of COVID restrictions and risks, the Borough feels it is appropriate to keep things moving forward on the Plan utilizing all the tools at our disposal to make sure things are handled in a fair and completely open and transparent manner. The Plan has been posted at the link: <http://tiny.cc/easterpike537> for 6-months at this point – a more accessible method than viewing one copy at a public office (minimum requirement) – and in addition, live-streamed public meetings throughout the State are showing larger numbers of attendees, not less, because residents and business owners can connect no matter where they are at or what they are doing.

2. All comments on the Plan are addressed by the Milford Council.
3. "Shall" was removed and wording was altered to avoid any confusion and make it explicitly clear that Milford Township is not planning to implement an On-Lot Disposal System (OLDS) ordinance in the immediate future unless the 5-year monitoring period deems it is warranted and necessary.
4. The agreement will need to be worked out between the 4 municipalities and 2 municipal authorities after the Plan is approved. As stated in the Plan, the implementation of the plan is contingent upon an inter-governmental cooperation agreement (inter-municipal agreement) being reached. The Milford Municipal Authority is anticipated to build, own, and operate the conveyance line through the Borough.
5. The 1,200 pages which constitutes ordinances and comprehensive plans are required to be included by the DEP Act 537 Plan Checklist. The documents were read through and reviewed and generally summarized in Chapters 1 through 4. An example of using the documents is the zoning maps. The zoning maps are used to target commercial zoning districts in the alternatives as that is a designated needs area by the municipalities. In addition, there is a large excess of pages due to the regional nature of the Plan as there are 4 separate municipalities involved. The most recent comprehensive plans, relevant ordinances, etc. provided by the municipalities are included in the Plan. While they are living documents, these are the most relevant at the time of the plan. The Act 537 Plan is also a living document.
6. The DRBC does not review the DEP Task Activity Report (TAR). The stakeholder municipalities along with HRG have been in contact with the DEP and DRBC. HRG has been in contact with the DEP regarding the TAR and has received several comments. We have also attended an in-person meeting with the DEP with all four stakeholder municipalities present. Milford Borough had representation at the meeting with DEP on December 6th, 2019, to discuss the TAR. Any of the outstanding items the DEP had based on the TAR submissions prior were resolved and the Draft Act 537 Plan was sent to the DEP on June 1, 2020. DEP has declined to review the Draft Act 537 Plan (due to limited resources) until they receive the adopted Plan by the municipalities (a normal process).

7. No “anti-degradation letter” was completed. The DEP or DRBC has not informed the municipalities that it will be required at this point as the discharge of the planned treatment facility will not be to a High Quality or Exceptional Value stream and that is typically outside of the scope of an Act 537 Plan.
8. This is outside the scope of an Act 537 Plan and would be more appropriate during the design phase of the project.
9. This is outside the scope of an Act 537 Plan. The exact pump and setup has not been determined as the project is in the planning stages.
10. The costs of the system would be significantly higher as shown in the cost analysis in Chapter 5 of the Plan.
11. The 200 gallons per day is MATW’s standard EDU. For capacity purposes, the water usage was used to estimate the flow.
12. The wholesale price for MATW is set as \$25/EDU. These fees are estimates and determined by EDU. If the EDU gallonage was national average, the costs would be higher.
13. This is outside the scope of an Act 537 Plan.
14. The MATW WWTP has a capacity of 374,000 GPD. With all 3 selected alternatives, the plant would not be at half capacity. As for allocation, that would be determined in the inter-municipal agreement.
15. USDA and PennVEST loans are not for individual OLDS repairs.
16. Holding tanks, spray irrigation, and the no action alternative were all considered.
17. This is outside the scope of an Act 537 Plan.
18. There will be a tapping fee of \$1,600 per EDU. The Borough intends to use grant money to pay for the tapping fees.
19. The properties that would connect to the central sewage system are shown in Appendix E.
20. There are no wells in Milford Borough.
21. No public sewer connections are anticipated in the Township. Planned flow impacts to the existing wastewater treatment plan are addressed in Chapter 5.
22. The statement will be changed as suggested.
23. The data used is from the most recent Pike County Comprehensive Plan, but the plan has been modified to use the census data for the most accurate and up to date information.
24. The DVHS resides in the Westfall Township Planning Area. A copy of the Planning Commission’s comments were forwarded to Westfall Township for their consideration.
25. Wording has changed to say OLDS and COLDS. COLDS are a subset of OLDS, but the change is made.
26. See response #24.
27. It should be 21,200 GPD in terms of immediate connections. The Plan has been updated accordingly.
28. All properties that are connected are shown in Appendix E.
29. See response #28.
30. See response #28.
31. Organic loads vary. Capacity calculations are based on the past 5-year records and show that with the added waste loads of the selected public sewer alternatives – which will serve properties outside the

Township's Planning Area – capacity will still exist at the Westfall Wastewater Treatment Plant (WWTP).

32. See response #24.
33. A detailed study of the groundwater table was not completed because the gravity alternatives were not found to be the most cost-effective alternatives for public sewer in other municipalities.
34. The sentence has been removed. There are not odors concerns for this system.
35. This is outside the scope of an Act 537 Plan. This information will be determined during the design phase.
36. There are 72 suspected OLDS system failures within the Borough's Planning Area.
37. The new infrastructure is planned to be owned and operated by the Milford Municipal Authority. No sinkholes or other concerns are anticipated.
38. In Appendix I, the Alternative No. 6F map shows the route and where it ends on E. Harford St.
39. COLDS are not recommended in terms of a municipally operated public wastewater treatment alternative. They can be constructed on an individual property basis.
40. See response #39.
41. The paragraph has been revised to state "... connect once public sewer is available."
42. There are essentially no available lots to be developed in Milford Borough.
43. OLDS are private systems for which repair or replacement will vary based on the specific property. The cost of which will be born by the private property owner. The cost to study private property owner expenses to replace their system falls outside the scope of this study. The study is focused upon public system alternatives to conventional OLDS.
44. The Act 537 Plan is a living document. The Milford Borough Council is responsible for proper sewer planning within the Borough.
45. The new infrastructure is planned to be owned and operated by the Milford Municipal Authority. No sinkholes or other concerns are anticipated.
46. The municipal paving depths are conceptual estimates. This would be determined in the Design phase of the project.
47. The proposed conveyance lines through the Borough are outside the 100-year floodplain.
48. The Borough is planning to try to use grant money to pay for the tapping fees.
49. The tapping fee revenue goes to MATW as the other municipalities are connecting to their WWTP.
50. It is a standard method usually written in for Act 537 Plans as a way to mitigate potential OLDS concerns while repairs are being planned or as a way to extend the life of the system. Based on the concern, this section will be removed as it is not necessary.
51. Outside of Borough jurisdiction.
52. Outside of Borough jurisdiction.
53. The provided OLDS Ordinance Template comes from DEP. Milford Borough will evaluate changes to the template if an OLDS ordinance adoption is deemed to be warranted after the monitoring period.
54. The resources put into Public Education is ultimately up to the municipality. The DEP cannot mandate how much is spent and the program should not be able to be used against the municipality.
55. The Borough has selected Alternative No. 6F, so this is no longer a concern.

56. See response #55.
57. A detailed economic analysis is outside the scope of an Act 537 Plan. The sentence will remain.
58. See response #50.
59. The 2019 Westfall Township Chapter 94 report resides in Appendix D.
60. This is from 2006 Pike County Comprehensive Plan, On-Lot Suitability is shown in Map 5 in Appendix C.
61. The water consumption metric is what was used in the 2006 Pike County Comprehensive Plan. Sewage is typically lower than water usage.
62. The sentence is revised.
63. This comment relates to properties outside the Milford Borough Planning Area. A copy of the comments were forwarded to Westfall Township for consideration.
64. See response #4.
65. The restoration costs are built into the Test Pit Price.
66. It is the number of properties that will connect in the immediate future in other municipalities.
67. Outside of Borough jurisdiction.
68. The following professionals have had the responsibility to review this document:
 - a. Matthew Roberts, Mark Spatz, P.E., and Cory Salmon P.E. of HRG
 - b. Michael Mrozinski, Pike County Planning Commission
 - c. Milford Borough Council and Milford Borough Planning Commission
 - d. Milford Township Board of Supervisors and Milford Township Planning Commission
 - e. Westfall Township Board of Supervisors and Westfall Township Planning Commission
 - f. Matamoras Borough Council and Matamoras Borough Planning Commission
 - g. David Kovach, P.G. of DRBC

COMMENTS ON CENTRAL SEWAGE IN THE BOROUGH

Some comments:

1

As I have been stating since the Pandemic started, this ACT537 should have been tabled until such time when in person meetings could once again be conducted. As we saw from the outset there were difficulties both technically and with not everyone getting to ask their questions. Also, some folks did not have the proper hardware to participate. In my opinion this is a violation of basic rights of the Borough tax paying residents.

2

- Having read the pertinent chapters of the ACT537 as laid out by HRG, the Executive Summary, Chapter 3, Chapter 5, Chapter 8 and the Appendices I found absolutely zero data that supports a need for Central Sewage in Milford Borough.
 - In the Executive Summary P1 the second paragraph comes to this conclusion:
 - An evaluation of existing on-lot disposal systems (OLDS) throughout the Study Area indicated that there is **a need for improved wastewater disposal in** Matamoras Borough, Westfall Township Southwest, Milford Township East, **and Milford Borough**. The results of these surveys are included in Chapter 3. The maps summarizing the results of the surveys are included in Appendix G. A complete summary of the results of the sanitary survey are presented in Appendix F.
 - The data in Table 3-3 P3-10, which lists the data for the 123 Borough properties surveyed, listed 5 that were confirmed failures for the Borough, but upon closer inspection Appendix G, 1 fail is in the Township another 2 along the Route 6 corridor (assuming that they have been remedied) and only 2 are in the business district which is the planned central sewer line. How this constitutes a “need for improved wastewater disposal.....” for Milford Borough is impossible to justify using this data.
 - The physical marked lots that were surveyed in Appendix G, also do not square with the data in Table 3-3. The appendix has 93 total lots surveyed.
- Reviewing the soil analysis, there is nothing to indicate any sort of issue with the OLDS systems in the Borough. There have been NO ground failures. We arguably sit on the best filtration system in Pike County.

3

- There has been NO economic impact study for those businesses that do not require central sewage in the business district nor a traffic study and what this will do to those establishments?

4

- In the Boroughs FAQ document posted on their WEB page is the following statement:
“Today 41 properties in our commercial district produce 25% of the Borough wastewater (35,000 gallons daily/12,775,000 yearly) and some cornerstone businesses spend tens of thousands of dollars pumping their sewage each year.”

- What we know is that 2-3 cornerstone businesses are producing probably 90% of that wastewater, so 38-39 properties who don't need central sewage will be forced to connect and bear an additional expense.
- The question begs can these cornerstone properties last another 6-9 years before central sewage is available without addressing their current septic systems?

5

- Lastly, the Tom Quick Inn was used to highlight the need for central sewers, it would not sell without them. Last time I walked by the Tom Quick was sold, renovations were ongoing and there was a liquor license application in the window.

6

- There is absolutely no compelling data that central sewage is needed by the majority of businesses in the commercial district.
- What we have is a Borough Council that is convinced that this is the only way for the Borough to thrive and grow in the future, basically we have the foresight.

This attitude is exemplified by a quote in the Aug. 13th Pike County Courier article The sewer war is on...where the Council President is quoted with the following: “....the ultimate decision rests with the council, “since they are responsible for the health, safety and welfare of the borough. It also would not be fair to have the majority of the borough make that decision for others.”

I totally disagree!

Q&A for HRG and Milford Borough Council on Central Sewage

1) Borough OLDS Survey

- a) What are the qualifications of your sewage inspector who surveyed the OLDS systems in the Borough?
 - i) Does he have a degree or other training and how many years' experience does he have?
- b) Chart 3.3 list 123 Borough properties surveyed, yet the map in Appendix G, when counted, show a total of 93. How do you account for this discrepancy?
- c) Chart 3.3 also list 5 Fails in the Borough, on the map in Appendix G the 5th fail is in the Township based on the drawn borders and 2 fails are residential properties near Apple Valley. I'm assuming those have now been remedied. That leaves 2 failing systems in the commercial district.
- d) Have these fails been rectified?

2) Engineering

- i) How many low-pressure sewage systems have been “specked” by HRG?
 - ii) How many systems total has HRG designed?
 - iii) Where are these systems located? Please be specific.
- 3) Properties along E/W Harford St. where the plumbing is to the back and will have to be brought to the front in order to connect will certainly cause additional expenses to the owners.

4) Borough Questions

- a) Why was the Borough SEO never involved in the ACT537 review process?
 - i) The review was conducted by 3 council members who have no experience in central sewage system requirements.
- b) When will we see an Economic impact study for businesses in the commercial district that do not need central sewage but will be forced to connect?
- c) When do we see a traffic impact study during construction and post construction?
- d) This is from the ACT537 ES P3-1:
 - e) An evaluation of existing on-lot disposal systems (OLDS) throughout the Study Area indicated that there is a need for improved wastewater disposal in Matamoras Borough, Westfall Township Southwest, Milford Township East, and Milford Borough. The results of these surveys are included in Chapter 3. The maps summarizing the results of the surveys are included in Appendix G. A complete summary of the results of the sanitary survey are presented in Appendix F.
 - i) Based on the Data in chart 3.3 how does the above statement conclude Central Sewage is needed for the commercial district in Milford Borough?
 - ii) The soil composition table does not support a need for central sewage.
- f) If this ACT537 is adopted by the Borough Council, residential properties and business properties in the Milford Borough commercial district will be responsible for repair/replacement of Grinder pumps.
 - i) Claims have been made by HRG that pumps will last on average 17 years.
 - (1) Please explain in what types of conditions you get an average life span of 17 years, in other words how large where the holding tanks, how often would pumps turn on in a daily, weekly, monthly period.
 - (2) What are the specs on the pumps the Borough will need and with that the annual cost of electric?
 - (3) If a grinder pump fails and needs to be replaced, what is the typical repair time? Is it hours, days? This would be critical for our restaurants.
 - (a) Will the Milford Municipal Water Authority be responsible for repair or replacement of grinder pumps?
 - (b) Who bears the cost of a system failure (not on the private lots)?
 - (4) During a power failure how much back up electric power is stored by the pump?
 - (5) What is the cost for connecting the grinder pump to an existing emergency generator?
 - (6) What capacity ratings would be needed by the generator to support this additional load?
 - (7) The replacement and installation cost are around \$4,000 - \$5,000. This data is from Acorn Park Neighborhood Asc., Prince William County, VA and the Citizens Energy Group. Do you agree or disagree with this historical data from 3 different sources? If you disagree please cite your sources and costing.
 - (8) With Grinder pumps there is the danger of hydrogen sulfide gasses being produced. Are there detectors for this? How would you remedy such a situation?

5) Costing to Residential and Commercial Properties

- a) In the ACT537 document ES p5 the statement is made that Westfall Township has to adopt their option 3B for running connections or the project will be cost prohibitive to Milford Borough. Has this option been adopted by Westfall?

- b) Further on p5 the following from paragraph 1:
- i) Alternative No. 6F would be financially feasible with a 45% grant and USDA financing with a monthly cost of \$76/EDU. The total project cost would be \$6,100,000. Additional grants or funding sources should be evaluated to lower the project costs were feasible.
 - ii) Council Members are on record as stating the minimum acceptable percentage of Grant money is 75%. This does not align with the above paragraph. What's the HRG comment to this?
 - iii) Please explain how the \$76 dollar figure was derived
 - iv) What would this mean for a residence or business using 15,000gal per month how does that equate to EDU's based on 1 EDU being 200gal/day, for that month?
 - v) What are the estimated additional charges for the following?
 - (1) Westfal treatment plant
 - (2) Milford water authority
 - (3) Additional cost from Milford Township not connecting?
 - c) It has been stated in the Borough Q&A online document that here will be NO tap in fee if enough funding is secured? Is this correct, since HRG has stated on multiple occasions that there will be a tap in fee?
 - d) What are the cost estimates to the residents and business owners for the following:
 - i) Draining the existing cesspool or septic system?
 - ii) Filling in the cesspool or septic system?
 - iii) Digging up the property to lay the pipe?
 - iv) Installing the grinder pump? Plumbing and electric if an emergency generator is involved.
 - e) The claim has also been made by the Borough that based on the funding secured not everyone in the commercial district will need to connect. That is completely counter to the HRG statements, again at multiple meetings, that you will NEVER get funding unless there is a mandatory connection for everyone in the commercial district.

Summation and Objective:

The above comments/questions are a sincere effort to get clear information so that support for or against can be made on data and not foresight.

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from Fred Weber from 12/30/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

General Comments Response

1. Regarding the Public Hearings that were available as socially distanced and via Zoom, Public Hearings are not a requirement for Act 537 Plans. There were two public hearings. In addition, the public comment period was publicly advertised in the local newspaper and on the Milford Borough Website, and there were multiple avenues to have the public comments submitted and reviewed.
2. There are a large number of OLDS in the Borough classified as Suspected Failures as defined by the PA DEP. Cesspools are not, and cannot be, permitted systems in accordance with DEP regulations. The Map has been updated to include all of the surveyed properties.
3. An Economic Impact or Traffic Study is outside the scope of an Act 537 Plan.
4. There are more than just 2 businesses that have high septic usage. The usage are divided based upon EDU usage. The exact details of their septic systems are not known by the Borough in terms of how long they can last. The 41 properties range from 5,400 gallons a day to 400 gallons per day with 10 properties using over 1000 gallons a day.
5. Acknowledged.
6. In addition to the need for central sewer options by business as outlined above, and the fact that cesspools that serve a majority of the Borough are not permitted systems, Milford Borough's 2020 Comprehensive Plan (currently in draft form) included questions about resident support in the commercial and residential district. The survey of 150 residents showed 56.45% of residents expressed support for central sewage in the commercial district, and 32.26% opposed it. 14% had no opinion.

While there is limited direct evidence of Confirmed Malfunctions, the cesspool systems that serve a majority of the Borough are defined as Suspected Malfunctions by DEP. Therefore, consideration by the Borough to plan for a public sewer alternative is warranted. The study results focused on planning for public sewer alternatives in the commercial district as a priority due to these properties having the highest sewer demands in the Borough which historically overwhelm a cesspools capability leach the raw sewer into the ground water table.

Specific Comments Response

1. Borough OLDS Survey
 - a. Surveys were conducted by the consultant, HRG, Inc. with supervision from individuals with over 20 years of Act 537 Planning experience.
 - b. Map has been updated to include the properties.
 - c. The 5th fail has been moved to Milford Township.
 - d. The failures were not rectified because the data was used for survey purposes.

2. Engineering

The proposed low-pressure sewer system is only conceptual. The system has not been designed. HRG Inc. as a 200+ employee firm has over 63 years of municipal engineering experience with individuals on staff specific to the Borough's study with over 20 years of related experience. HRG represents more municipalities and authorities in PA than any other engineering consultant in PA. Oversight of the study was my multiple engineers at HRG who are professionally licensed in the State (P.E.s). HRG

has assisted municipalities and authorities with hundreds of Act 537 planning documents and sewer designs. HRG has been the Authority Engineer for Westfall Authority for over 20-years and has assisted the Authority and Township with Act 537 planning and sewer designs. Other municipalities, to name a few, include: Howe Township, Capital Region Water/Sewer Authority, University Area Joint Authority, Steelton Borough, Milton Regional Sewer Authority, Wyoming Valley Sanitary Authority, etc..., etc..., etc...

3. One of the main reasons for choosing the grinder pump option was to eliminate costs to the homeowner to relocate interior plumbing to the front of the house. The initial cost of the grinder pumps and their installation in the rear of the house and the piping to reach the street main is included in the costs of the system./

4 Borough Questions

- a. The process for Municipal according to DEP Documents is through the Planning Commission. The main goal in review is to highlight any inconsistencies in the plan with regard to zoning and other planning ordinances. This question was answered at the public hearing in December. The Borough SEO was involved in the monthly stakeholder meetings. The Milford Water Authority reviewed the plan including engineers on their board, the Milford Borough Council as a whole reviewed the options with HRG and held a full discussion and voted on changes to the initial draft 537 in August as outlined in the 537 planning update guide.
- b. The Economic Impact Study is outside of the scope for the Act 537 Plan.
- c. A Traffic Impact Study is outside of the scope of an Act 537 Plan.
- d. There are a large number of Suspected Malfunction systems in the commercial district. Because these owners are the higher demand users, it is most important that they have long term solutions for their sewer needs.
- f. The Act 537 Study is a planning document. The final grinder pump determination is not made until the design and permitting phases of the implementation.

- (1) This said, a potential grinder pump system the Borough is referencing during the planning to conceptualize costing, maintenance, etc... is the EONE grinder pump system. There are three articles on the Borough's website on their maintenance, longevity, and energy use. The following is a quote from Citizen Energy Group in Indianapolis 2020 publication:

A grinder pump system [the pump itself – not the entire tank] should be evaluated for replacement after 15-20 years of operation. However, it may be prudent for customers to start planning and budgeting for replacement after 10 years of use. The average cost of replacement of the major components (i.e. grinder pump) is typically around \$2,500. Like other major appliances, service calls will be necessary as parts wear out and require replacement over time, customers can expect a service call for maintenance on average every eight years at an average cost of \$250 to \$375.

- (2) The operational cost from the same publication:

What are the electrical requirements for operating the grinder pump system?

For optimal performance, 240-volt 1 phase 30-amp service is best, but 20 amp is acceptable. The cost for electricity to the grinder pump is similar to that of a 40-watt light bulb, which is about \$24 per year (assuming \$.10/kWh) CitizensEnergyGroup.com/STEP.

The Borough has not considered Koehler pumps referenced in the Acorn Neighborhood references and at this point does not intend to use them. Again, refer to information on EONE pumps on the Borough's website.

Most repairs can be done on-site. Large commercial establishments will have duplex pumps in the plan. EONE rebuilds grinders, this would require the municipal authority or the service provider supplying loaner pumps.

- (3) Service times will depend on the pump manufacturer, technician company and level of service needed.
 1. That has not been solidified at this time. O&M costing in the plan contemplates the home/business owner will be responsible for the grinder O&M.
 2. All grinder pumps will be on private lots.
- (4) Pumps do not store electrical power. However, there is typically a couple days of sewer storage in the pump depending on water use, depth and size of the grinder wetwell.
- (5) That will vary based on site specifics.
- (6) Pumps have not been selected, but typical service demand is 240v-30amps.
- (7) The Borough disagrees. See Fred Webber responses for more details in regard to more realistic figures.
- (8) Grinder pumps produce no more hydrogen sulfide gas than a cesspool or septic tank. Furthermore, it is not registered as a dangerous gas. Finally, in a sewer environment, hydrogen sulfide is only released from the water at downstream parts of the system; not at the source of wastewater discharge into the system (Milford Borough).

5 Costing to Residential and Commercial properties

- a. Westfall Township is in their public comment period, and Westfall Township is planning on adopting the Alternative in February 2021.
- b.

i. *<no response required>*

ii. Section 5.1.2 has been updated.

- iii. The cost breakdowns were shown in Chapter 5. A preliminary Cost analysis is shown in Chapter 8.

Taking the project construction cost, minus an assumed grant amount results in the project cost that will need to be financed. Four financing options were evaluated with different terms and interest rates. That resulted in an annual debt service (annual payment). Add to that the O&M cost of the system results in an annual total expense. Divide that by the total EDUs expected to connect (and divide by 12-mo/yr) results in the monthly rate per EDU.

- iv. For a single-family residence, they will be charged for 1 EDU regardless of usage. A business using 15,000 GALLONS PER MONTH would be charged the cost of 2.5 EDUs ($15,000_{\text{gallons per month}} / 30_{\text{days}} / 200_{\text{gpd/EDU}} = 2.5 \text{ EDUs}$).
- v. Cost breakdown is as follows:

1. \$25 for Westfall Township Wholesale Fee. This is already included in the price (in the O&M cost per year).
 2. That is dependent on Milford Municipal Authority and will be determined at a later date.
 3. Milford Township selecting the No Action Alternative earlier on in the process before detailed financial analysis was determined and the final alternatives were determined. As a result, the costs reflect Milford Township selecting the No Action Alternative.
- c. The Borough will use grant money to pay for the tapping fees. HRG stated the tapping fee would be \$1,600/EDU, but at the time, they did not know the Borough would use grant money to pay for it.
 - d. These answers are dependent on the size and conditions of the individual system. Specific costing for private systems falls outside the scope of Act 537 Planning. However, only items i) and ii) will be required, generally ranging from \$500 to \$3,000.
 - e. A mandatory connection ordinance will necessary for the most favorable funding options (public financing). The Borough Council is considering providing options for the 9 single-family houses in the commercial zone.



December 31, 2020

Ms. Laurie DiGeso
Milford Borough Secretary
Submitted via Email: secretary@milfordpa.org

Re: Act 537 Sewage Facilities Plan for Eastern Pike County Pennsylvania (Nov 30, 2020 Draft) – Delaware Riverkeeper Network Concerns, Comments and Questions

To whom it may concern:

1 On behalf of the Delaware Riverkeeper Network (DRN) and our 23,000 members and volunteers, we are writing with comments regarding the Draft Act 537 Sewage Facilities Plan for Eastern Pike County Pennsylvania written by Herbert, Rowland & Grubic, Inc. (HRG), November 2020. DRN appreciates the opportunity to comment and review the draft plan. DRN was able to review the Executive summary, Chapter 3, Chapter 5, Chapter 7 and Chapter 8 as well as some of the mapping. We note our review was cursory due to time constraints and a short review opportunity – it appears the draft was created and accessible to the public on Nov 30, 2020. DRN could not find a draft of the plan on the borough's website that would be impacted by this plan despite it being a topic on the Milford Borough agenda in earlier months and clearly being in the works for several years. At the request of members, DRN attended a June 28, 2020 Zoom Milford borough meeting during COVID pandemic measures - where this plan was discussed but at no time was a full presentation provided nor documents of the plan posted on the various township websites to DRN's knowledge. There was a subsequent meeting with a Westfalls Sewer operator and a brief Q&A but none of these instances were adequate public comment.

2 Delaware Riverkeeper Network would urge that additional time be provided for the community to adequately review the document and appendices to better provide detailed review and comments of the Act 537 draft plan - especially in light of the long term impacts and land use changes that this sewage plan could ultimately mean for a beautiful section of the Upper and Middle Delaware River region that is also part of Delaware River Basin Commissions (DRBC) Outstanding Resource Waters. Act 537 originated in 1967 and many of the plan areas have not been updated for over 30 years. Its important that the push by large developers to build out and sprawl out from the borough is not the impetus of pushing this phase of the plan through during a pandemic and during the holiday season when many residents and the community are struggling to make ends meet, stay healthy, and deal with home schooling children or caring for loved ones who are sick during this unprecedented time. DRN has been observing this type of

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expedited review process for various developer schemes that do not serve the conservation community or the long term sustainability of those communities the last several months when the public has to meet by Zoom (if they can or even have that privilege of being able to connect with Wifi). Though there will be other review points by the Planning Commission and the PA DEP, it is critical that borough does not give away their power now or rush approval of the plan in February 2020 (during a pandemic) and instead ensure adequate and thorough public comment is included and continued. We understand Milford Township's extensive 12/2020 comments on this Act 537 plan also stated the same sentiment: "*Given the current state of affairs regarding the pandemic of Covid 19 whereby citizens are highly encouraged to remain at home, we feel it fair, and necessary to maintain our democratic way of life to hold off any public comment period until such time as public gatherings are reinstituted.*" DRN encourages all of the affected municipalities including the Borough allows more time and longer timeframes for commenting and incorporating the public.

In the meantime, below some points, concerns and questions that DRN would like to share and have addressed.

DRN believes that borough officials and local elected officials have an obligation and duty under Article 1 Section 27 of the PA Constitution to ensure that the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people. A sewer expansion such as this that will have real consequences for decades into the future and help shape how the Upper and Middle Delaware Region should not be rushed or done for the benefit of just a few. Township officials can do its residents a great service by scrutinizing the draft plan's conclusions thoroughly and demanding much more analysis be completed.

2 History and Background – What's the Rush Now During a Pandemic?

Comment: A thorough timeline of this entire process with also the information pertaining to the DRBC dockets for Westfall WWTP would assist in residents understanding the full scope of this process and full impact.

DRN would recommend these points are laid out in a timeline in the plan for full public disclosure and review since the inception of the West falls plant at a minimum. Some points appear to be outlined in Chapter 3 but not all. With Westfalls Township sewer decisions it would also benefit the other areas to understand and see how Westfalls has fared the last 20 years since their sewage treatment plant was built.

A proposed ordinance was noticed by Westfall Township on December 3, 2018 to authorize an intergovernmental agreement with Milford Township, Milford Borough and the Municipal Authority of the Township of Westfall for the evaluation and extension of the sewer service to parts of Milford Township and Milford Borough. According to the 2018 Westfall notice, "*the wastewater treatment plant currently has excess capacity that can treat additional sewage collected by the extension but the Authority needs to determine the flows that would be generated as a result of the extension as well as the estimated cost for constructing the extension along the corridor to the northerly border of Milford Borough and possibly, an extension of the wastewater treatment plant to serve additional sewage flows. The extension to be permitted by the Pennsylvania Department of Environmental Protection and the participating municipalities will need to amend their respective 537 Plans by adopting a Westfall/Milford Regional 537*

Plan, which will address the project within all three (3) Municipalities. The Authority is willing to explore the extension provided the extension does not unduly burden the taxpayers of the Township and provided the Westfall Wastewater Treatment Plant will still have sufficient capacity to serve additional properties within the Township. A billing determination will be made whereby each entity would be responsible for billing and service within their jurisdiction. The cost of doing a feasibility study, as well as Regional 537 Plan needs to be funded by grants or the parties have to find an alternative for allocating such costs among them or with the help of other contributors.”ⁱ

- 3 Per an HRG Press release and article published in the Pocono Record (Oct 8, 2019) – Since Act 537’s inception in 1967, townships and municipalities have enacted their own plans, as well as revised and updated them over the years. When it comes to Pike County, three of the aforementioned municipalities have not updated their Act 537 plans in about 30 years. Westfall Twp.’s plan is the newest of the four, having last been updated on April 27, 2006. <https://www.poconorecord.com/news/20191008/pike-townships-set-for-act-537-sewage-system-inspections>. **DRN Comment:** What spurred Westfalls Township to update their plan in 2006?

West Fall Township Wastewater Treatment Plant

DRN Comment: It is not clear from the plan the various iterations and additions to the Westfall treatment facility in full, which is the endpoint for the additional piping. It would be helpful to outline the DRBC and DEP processes in greater detail with the history in the plan – again to provide context and the larger framework. DRN quickly researched some of the record for DRBC dockets but this was not an exhaustive search (below two dockets summarized).

Feb 17, 2012 DRBC Docket - The existing West Fall Township WWTP will continue to discharge to the Delaware River in Water Quality Zone 1C at River Mile 252.5 in Westfall Township, Pike County, Pennsylvania. The existing WWTP is located in the Middle Delaware Special Protection Waters (SPW) Area, which has been classified as Significant Resource Waters (SRW).

<https://www.state.nj.us/drbc/library/documents/dockets/D-2002-023CP-4.pdf>

Its design capacity is 0.374 mgd and proposed upgrades submitted to DRBC (Docket No. D-2002-023-CP-4, Feb 17, 2012)

Dec 17, 2018 DRBC Docket – Pike County Environmental Enterprises LLC Wastewater Treatment Plant Upgrade, Westfall Township – (NPDES Permit No. PA0062324 which was issued by PADEP on May 2, 2012) – Location: The docket holder’s WWTP is located at Delaware Drive in Westfall Township, Pike County, Pennsylvania. The WWTP will continue to discharge treated effluent to Water Quality Zone 1B of the Delaware River at River Mile 256.5 in the Middle Delaware Special Protection Waters (SPW), which is classified as Significant Resources Waters (SRW). D-1989-082-4 consisting of monthly average and daily maximum TDS effluent concentration limits of 2,000 mg/l and 2,250 mg/l, respectively. The WWTP outfall is located in the Delaware River Watershed as follows: OUTFALL NO.LATITUDE (N)LONGITUDE (W)00141° 23’ 28”74° 42’ 57”3. Area Served. The docket holder’s WWTP will continue to accept hauled-in residential septage and municipal WWTP solids from locations mostly throughout Pike County, Pennsylvania, nearby Sullivan County, New York, and Sussex County, New Jersey. Out-of-basin wastewater may continue to be accepted and treated at the WWTP provided the volume of accepted out-of-basin wastewater is less than 0.050mgd. The existing treatment plant was originally designed to treat a flow up to 0.10 mgd; however, the WWTP was never issued a Water Quality Management (Part II) permit from PADEP for construction of a 0.10 mgd facility, and therefore the WWTP is only rated for 0.049 mgd. In addition, certain WWTP

components (the existing primary clarifier, aerated lagoon and UV disinfection) are no longer fully operational. The facility utilizes chlorine disinfection in-place of the currently non-functioning UV system. The proposed modifications are intended to return the existing non-functional 0.049 mgd WWTP components back to the design capability of the original treatment system by converting the existing offline lagoon into a Biolac® aerated lagoon system with a Wave-Ox™ BNR treatment system and appurtenant improvements. After the proposed upgrade goes into operation, and pending a demonstration of treatment performance by the WWTP, the docket holder requests approval to expand the WWTP capacity from 0.049 mgd to 0.10 mgd. Approval of the expansion is conditional upon the WWTP effluent meeting BDT effluent limits and the docket holder obtaining PADEP Part II permit approval of the expansion.

4 **DRN Comment:** What is the purpose of Westfalls importing waste from various communities? How will that affect this new proposal of additional waste from the neighboring proposed service areas? The plant has already needed repairs and has expanded in discharge limits – why add to the discharge if other more cost effective measures that ensure watershed protection are in place? The stated purpose of this Act 537 Plan is to address the wastewater disposal needs of Matamoras Borough, Milford Borough, and portions of Westfall Township and Milford Township. The planning area for this Act 537 Plan is Milford and Matamoras Boroughs in their entirety, and portions of Milford and Westfall Township all of which border the Upper Delaware River (Outstanding Resource Waters) and reside within high quality or exceptional value water tributary streams that feed the main stem Delaware River.

Chapter 3. D. Permit Violations - EPA's ECHO website was searched to determine any permit violations incurred by the Authority. No violations were found. According to the U.S.E.P.A.'s Enforcement and Compliance History Online (ECHO) program, no violations have been reported for the past 5 years.

5 **DRN Comment:** The plant has been operation for more than 5 years, DRBC docket info above suggests various non-compliance and need for improvements. A more thorough review of the Westfall's plant and routine maintenance for the life of the plant should be included in the document.

Chapter 3.3.1 Residential Complaints and Requests for Service – it is noted in this section “several residents indicated that surrounding properties had problems associated with their OLDS including green lush grass, odors, ponding water/sewage, sluggish drains and system overflow. Businesses in the four municipalities have expressed a need for central sewage in commercial zoning areas...Matamoras had 36 permits for repairs...Westfalls had 7 repair permits, milford borough had 14 repair permits and Milford Township had 20 repair permits issued.

6 **DRN Comment:** If repairs are being conducted as it would appear from the plan, why invest in an expansion that will exacerbate sprawl and change the character of the region? This section appears to put business interests over residential owners who are also open to making needed repairs especially if an ordinance is put in place for better maintenance. Why not use PennVest funds or other funds to ensure more innovative non central improvements are used to assist landowners with their septic systems? Table 3-3 is confusing with the percentages and description or there appears to be a typo and perhaps narrative should state Table 3-4. Please clarify.

3.3.4 The Summary of Tier 2 states that Tier 2 survey indicated a 5.7% confirmed malfunction rate based on field observations. It goes on to state that On lot Sewage Management Program for each municipality would help fix and maintain the systems. DRN agrees with implementation of OLDS for better on site septic maintenance over running an expensive piping system to Westfalls that discharges into the

Delaware River Special Protection Waters while also cutting across likely multiple sensitive and specially designated streams to build the ROW.

Soil Maps included in the draft Indicate good options for continued On-lot systems and good soil drainage

From the maps of the project area (at end of letter for reference) it appears there are non-centralized options for on lot septic systems to continue soundly and without harming water quality. From the docket above by DRBC, it also appears that there is already some trucking of waste perhaps from larger commercial facilities in the project area. By implementing an OLDS ordinance for regular pumping of septic systems by residents or business (which is mentioned in the plan), isn't that far more cost effective and less structural and harmful than to expand a sprawling piping system to Westfalls? Who benefits from the piping system? That should be spelled out in the plan to best understand who benefits and who loses. DRN suggests that USDA and PennVEST loans could be used to help solve any onlot sewage failures that may occur.

From a Pocono Record article in 2019, it's noted sampling was conducted by HRG to determine sewage failures (<https://www.poconorecord.com/news/20191008/pike-townships-set-for-act-537-sewage-system-inspections>). Where are those results for the sampling? How many problem areas are there for septic? How big are those facilities that have the problems? Are they restaurants or a commercial business that could likely cart their waste away to the nearby plant especially since some of these commercial businesses may be more seasonal or busier in the warmer months? Why invest \$6-12 million on piping expansion to Westfalls that will ultimately lead to more sprawl along the pipe and less of a rural and quaint area that Pike County is known for and that helps benefit the borough and existing hamlet communities? Wouldn't the expansion create sprawl along the Rte 6/209 corridor which ultimately would take business out of the borough which is a walking community now with thriving small town character? Again – what entities are pushing for this expansion beyond speculators or developers looking to pave over additional green areas in the region for profit? Why the rush during a pandemic when the public is preoccupied with other concerns?

How does the finalizing of this plan, which DRN understands could come in February 2020 from correspondence from concerned residents in the borough (during a pandemic), fit into the more recent survey that was conducted by Milford Borough? Are those survey results available? Will they inform the alternatives in the Act 537 plan? Will there be another version of the plan with public comment incorporated before the borough votes on moving it forward?

Chapter 5 – Potential Wastewater Treatment Alternatives

This section is very important to have a thorough review but DRN on quick review has major concerns that this section does not adequately address all alternatives available fully as required under Act 537 and instead is really pressing for the expansion of pipes whether gravity fed or some other piping to the sewer plant - which again will increase direct discharge directly to the Delaware River and Special Protection Waters. The alternatives analysis contained in the Special Study is not adequate. In DRN's opinion, it does not meet the requirements of Act 537 (Title 25, §71.64.d). There is no evidence of any soil testing or soil suitability analyses, no preliminary hydrogeologic evaluation, no thorough discussion of other community land disposal alternatives and no discussion of municipal sewage management programs that could be employed. The analysis focused primarily on cost.

Why in section 5.4 is it stated that additional on lot disposal systems (OLDs) are not being considered as an option in the Act 537? It is stated “that is because the OLDs would be done on an individual basis.” This alternative should be considered and included in the plan and this rationale does not make sense.

5.5 Community On Lot, Small Flow or Package Treatment – “There are two (2) non-municipal package or small flow treatment facilities located within Westfall Township as described in Chapter 3. Milford Senior Care and Rehabilitation Center (NPDES Permit #PA0060020) and Delaware Valley School District (NPDES Permit #PA0032166) own and operate the two Wastewater Treatment Facilities. Milford Senior Care and Rehabilitation Center is permitted for 18,000 GPD, and Delaware Valley School District is permitted for 20,000 GPD. Both facilities intend to connect to the MATW WWTP, and furthermore, both facilities’ flows are significantly lower than the capacity. The two package facilities intend to connect once the sewer (there are missing words in the document here). As a result, upgrades to these facilities are not being considered as part of this planning effort.” (underlined for emphasis)

7 **DRN Comment:** If these facilities have working systems that are below capacity, why would these systems not be considered viable continued alternatives and excluded from this planning effort? Information to draw this conclusion is deficient. The analysis is incomplete.

5.6 Spray Irrigation – “On-lot drip irrigation systems appear to be a viable alternative based on the soil survey data for replacement of existing OLDs. However, the expense would solely be on the homeowner. Drip irrigation takes space, is expensive, and can cause issues in the winter. As a result, this alternative is not recommended due to the cost to residents and the need to establish system requirements when there are cheaper and more viable alternatives for individuals that are outside of the recommended structural alternatives. A spray irrigation system was briefly considered to serve Milford Borough as a means of wastewater treatment discharge. It was proposed that the treatment facility could be located in an empty lot owned by Pike County in Milford Township (Tax Parcel ID: 113.00-01-05.010). Since the same conveyance lines as a conventional sewage system would still need to be built, it is not cost effective to build a separate facility, when the flows could be conveyed to a regional WWTP that has excess capacity. Therefore, no further evaluations were completed and no spray irrigation systems are proposed.

8 **DRN Comment:** Dismissing the use of spray irrigation to the plan based on this short analysis is not in the spirit of Act 537. More details are needed. What are the costs? As stated earlier, the borough could use PennVest dollars to help subsidize the non-sewer line expansion and again pumping and other measures can help ensure better compliance for existing systems and should be included in the plan. Stating that running a line to a drip irrigation field to avoid a discharge to the River is not feasible but running a similar line to the direct discharge is feasible does not make sense. Information to draw this conclusion is deficient.

5.7 Holding Tanks – DRN agrees that this option is viable for commercial or industrial sites. We would argue that holding tanks have also been used for residences in other parts of the watershed so they should not be dismissed as indicated in the plan. More details are needed to rule out the point that residences would be too costly. Information to draw this conclusion is deficient and the analysis is not complete.

5.10 No Action Alternative – DRN disagrees with this section and furthermore believes one cannot dismiss “No Action” simply because as is stated in this brief section, “several businesses have told the municipalities that it is not financially feasible to stay in the area without central sewage.” What businesses? Who wins and who loses?

It is also not clear “the degradation that is occurring” based on the limited water sampling information provided warrants an expansion of sewer lines especially in light of other alternatives that have not been fully analyzed for this plan. The idea that no action alternative is not viable because it could “restrict or prohibit growth to the planning area’s potential growth and development areas” is also unacceptable and not thorough reasoning. One does not have to travel far to see sprawl and other impacts that come to thriving small towns when similar sewer lines are pushed through to benefit developers while the community is left to pay. It’s critical that at a changing time with COVID concerns, climate change impacts, aging infrastructure costs, and examples elsewhere of the harms that come with similar old thinking - that municipalities get smarter and not buy into the arguments and false analyses that a few developers continue to attempt to feed them to make their bucks and then leave the community behind.

DRN did not have time to review the cost estimates for the sewerage expansion in detail but we would note that there are no break outs for the other alternatives discussed which is woefully inadequate at meeting Act 537 requirements and ensuring the community can completely analyze the true costs.

9 **Sprawl Concerns from Development Pressure in Pike County that is known for its conservation principles and values.** Pike County and its communities are known for their conservation ethic. In fact, in November 2005, Pike County voters affirmed the importance of preserving and protecting the natural resources of Pike County and the County's scenic rural character, by voting "Yes" with a margin of more than 2 to 1 on the Scenic Rural Character Preservation \$10 Million bond referendum placed on the ballot by the County Commissioners. Approval of the Scenic Rural Character Preservation Bond was an important step in protecting the County's natural resources, preserving sensitive natural areas and critical open space, providing parks and recreation areas and improving planning efforts at both the County and Municipal levels. The expansion of a sewer system and the sprawl it will ultimately bring as is indicated in the plan for developer expansion flies in the face of what Pike County voters and residents want (Pike County Planning Commission website).

The plan talks of future development and expansion – the costs of that future expansion and development should also be laid out – again who wins and who pays? What are the long term projections and changes that will occur in the community if expansion is selected? As bigger box stores perhaps move in, what will that do to downtown walking communities? What will it do to the character of the Upper and Middle Delaware rural qualities that currently make this region special? What will it do to the Wild & Scenic River designation for the Delaware River?

10 **Chapter 7.3.2** – the plan states that the municipalities will have to develop a mandatory connection ordinance and that that is required by the funding agencies. **DRN Comment:** Earlier in the document it was stated that connections would not be mandatory for some areas. This statement here is confusing. Please clarify.

11 **7.3.3 – Rights of Way** – The only map of the lines is a very large scale one. DRN does not see any maps showing how many stream crossings and wetland crossings would occur to run these new ROW’s. That impact should also be considered in the plan as part of the cost. DRN notes again that this area is in Outstanding Resource Waters and also High Quality or Exceptional Value tributaries under DEP’s Chapter 93 stream designations so anti-degradation requirements will need to be met for such a large scale expansion. As seen with pipelines and other ROW’s, multiple cuts through sensitive water resources have a cost and environmental impact. DEP recognizes some of these concerns and is in the process of revising

their Chapter 105 requirements because of the impacts ROW's can inflict on water resources. Eminent domain for a ROW is also a considerable cost to the properties and landowners that would be impacted especially for a sewer system that does not appear to be needed.

Thank you for your time and consideration of our concerns, questions, and comments. Please advise us if a longer timeframe for review will be provided at your earliest convenience. I can be reached at faith@delawareriverkeeper.org or 215-369-1188 ext. 110

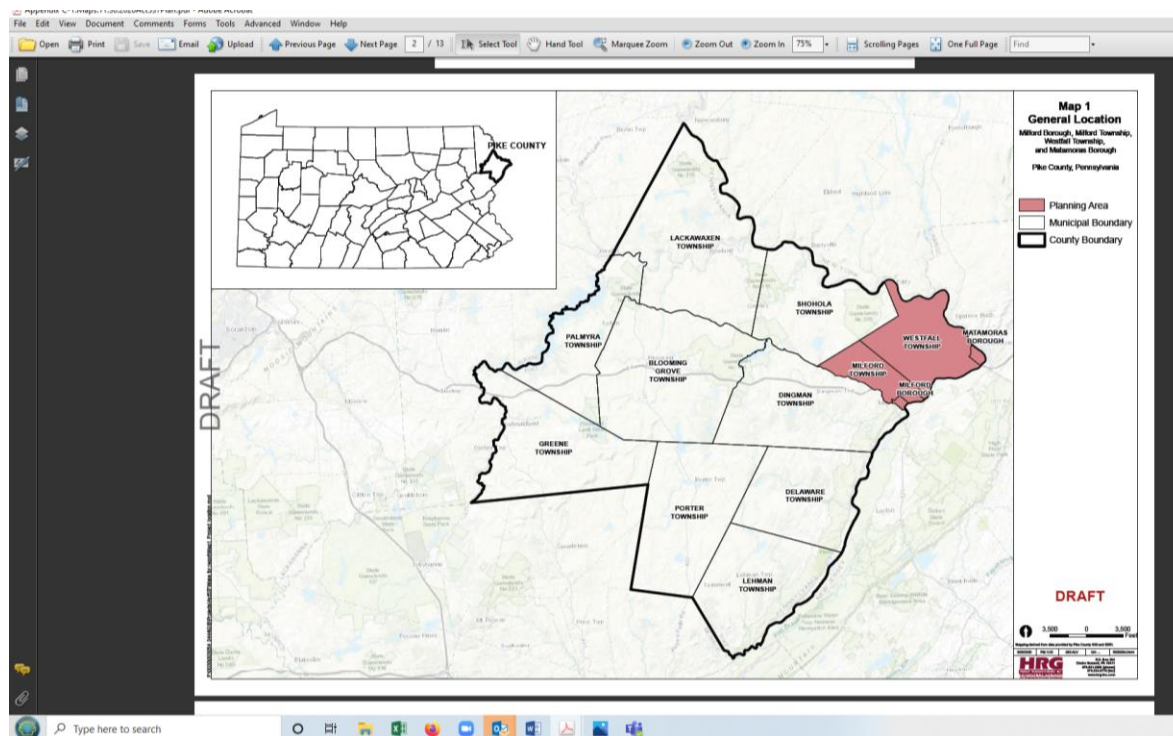
Sincerely,

A handwritten signature in cursive script that reads "Faith Zerbe".

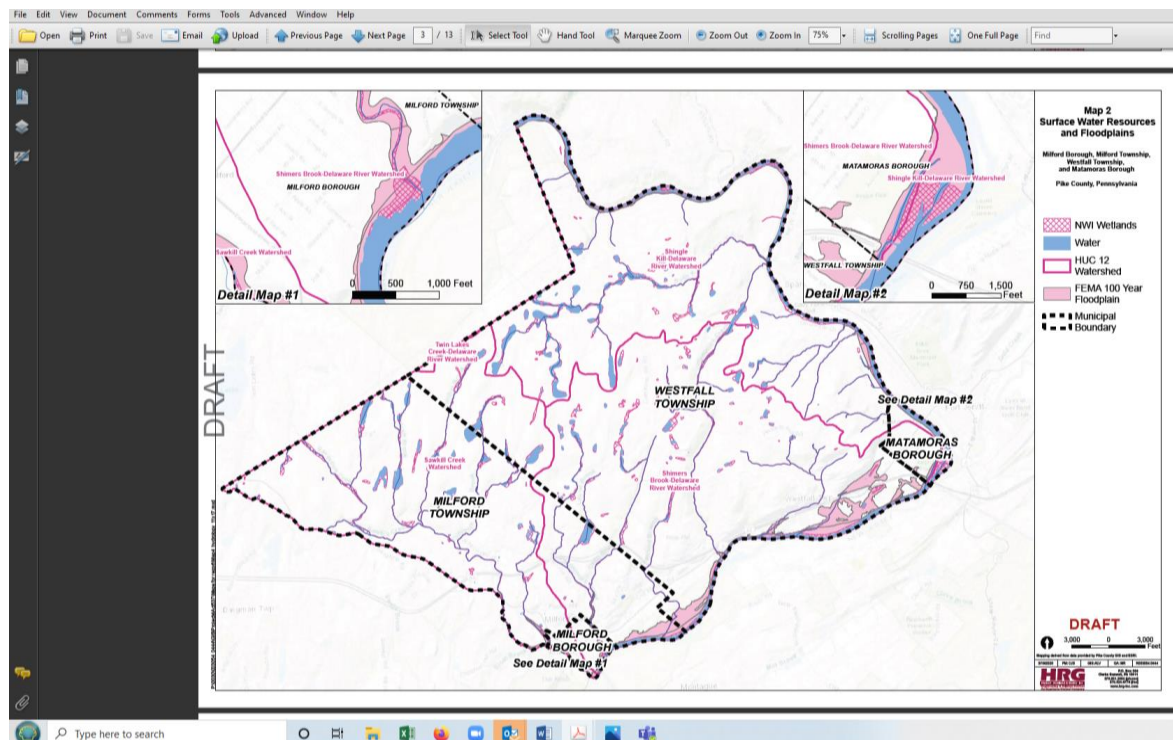
Faith Zerbe
Director of Monitoring
Delaware Riverkeeper Network

cc. Pike County Planning Commission planning@pikepa.org
Milford Township, Pike County
Maya K. van Rossum, the Delaware Riverkeeper
DRBC
PADEP

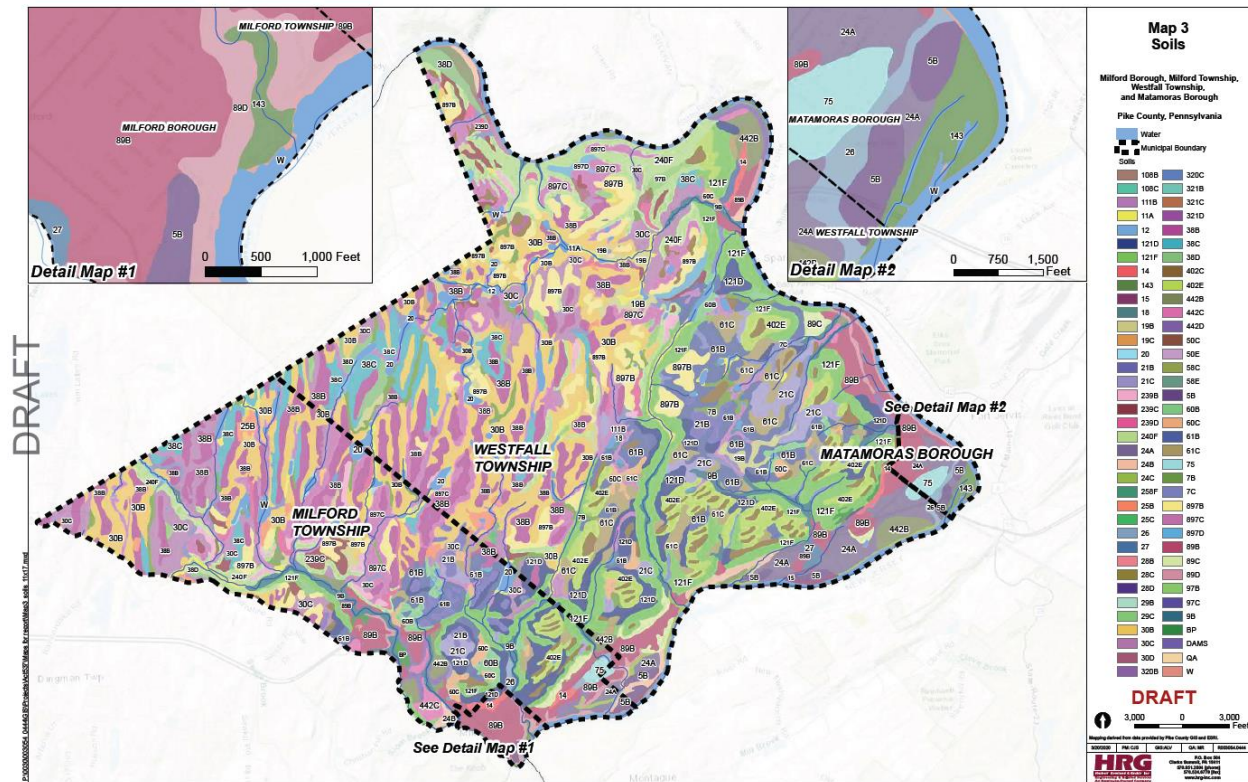
Map Excerpts from the Draft Act 537 Plan for Reference (screen shots)



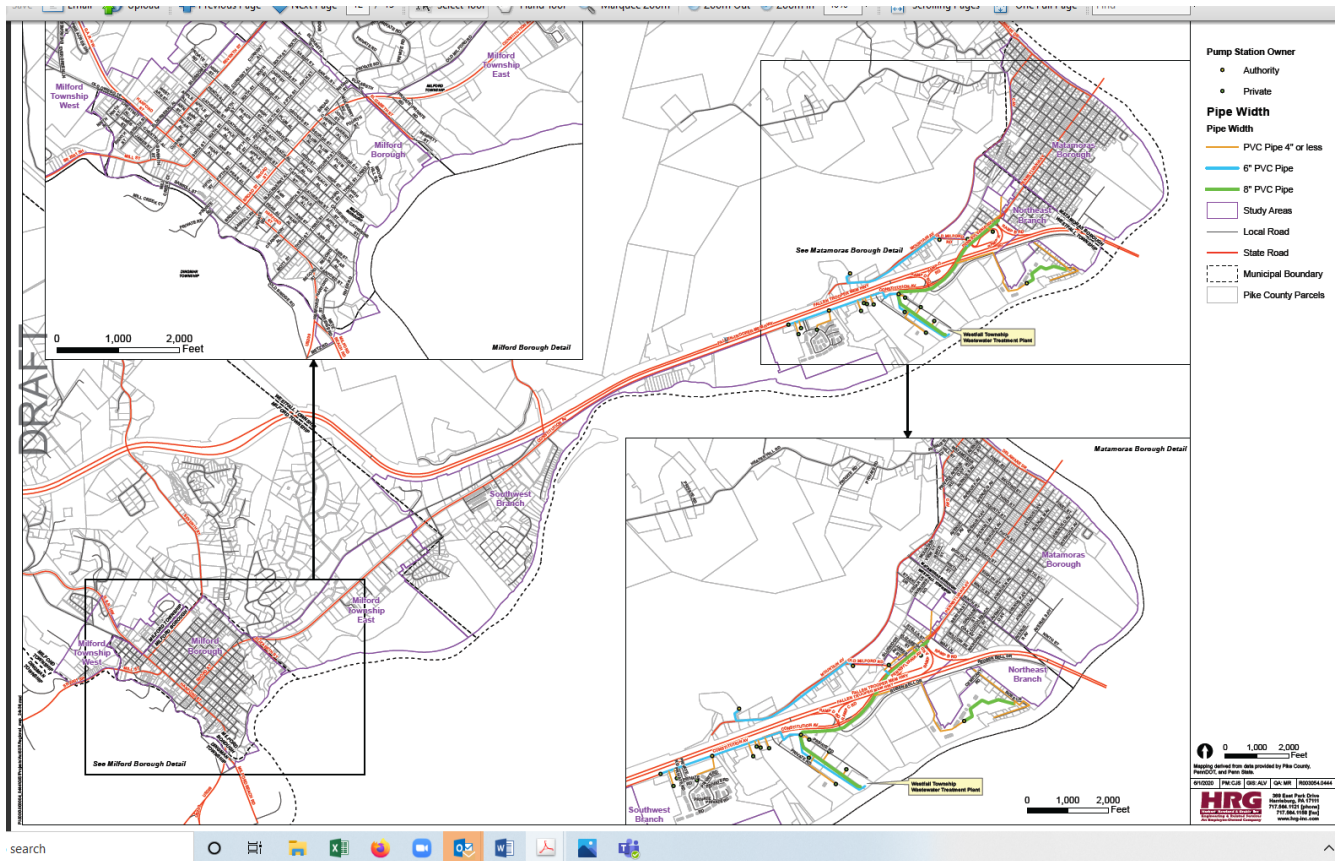
Study Areas are shown on Map 11 in (Appendix C).



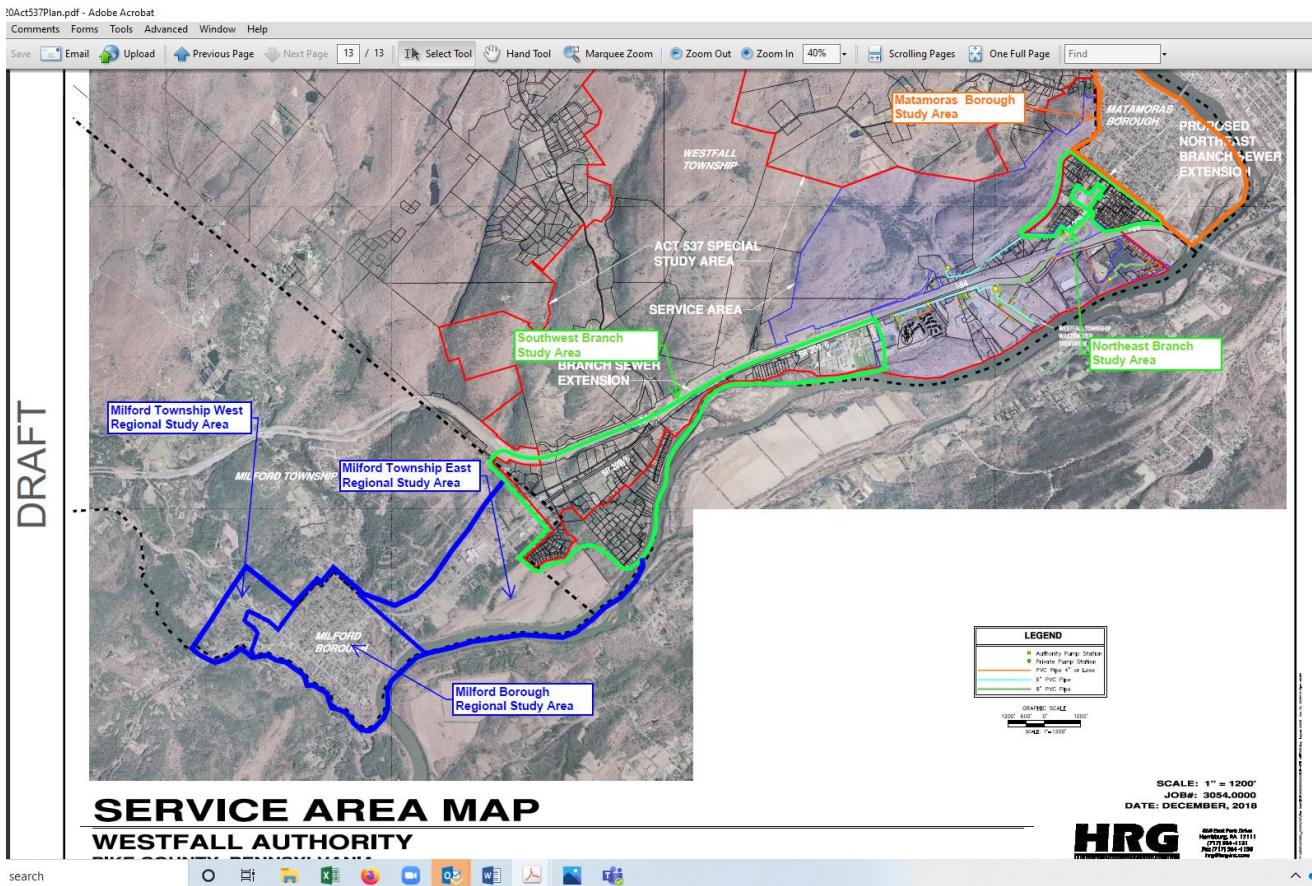
Surface Water Resources and Floodplains (Appendix C)



Soils – Appendix C



Study Area



ⁱ <https://westfalltownship.org/public-notice-hearing-for-proposed-ordinance/> - Westfall Township Public Notice.

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from the Delaware River Keeper Network on 12/31/2020, regarding the above-referenced project. Our responses are indicated below.

1. Draft was made accessible to the Municipalities on 8/19/2020. The upload on November 30, 2020 were some minor updates based on comments from Westfall Township. The public comment period is required to last for 30 days, and the plan was on the website for the required 30 days. The Public Comment period was extended to 45 days, and the Plan had been on the Borough's website since September 25th.
2. Regarding the review process, the Milford Borough Planning Commission had the standard 60-day review period for the Plan. In addition, an earlier draft of the plan was sent to the stakeholders for initial comments in June 2020. The public comment period lasted 45 days. No public hearing is required, but the Borough had two Zoom public meetings. The Public Comment period was advertised in the local paper and on the Borough website. Comments could be written in as well. Aside from the advertisement of the completed Draft Plan, the Council voted to unanimously join in this inter-municipal Act 537 Study in February 2019. It was discussed at each council meeting the prior eight months as well as two special meetings hosted by the Council with HRG to ensure there was adequate time for the community to understand what the study would involve. These were in-person, pre-pandemic and advertised in advance.
3. Outside the Borough's jurisdiction. However, Westfall Township updated their plan in 2006 to re-rate the Plant to 374,000 GPD and expand the projected service area. In order to make changes to the sewage system or plant, an Act 537 Plan needs to be updated every 20 years. The other municipalities have not updated their plans because they do not have central sewage.
4. The December 17, 2018 DRBC Docket is not related to the Westfall Township Plant.
5. The MATW WWTP has not had a history of permit violations. The DRBC docket info regarding non-compliance and need for improvements is for the Pike County Environmental Enterprises LLC Wastewater Treatment Plant, not the MATW WWTP.
6. If more repairs and replacements are needed, it is suggesting that systems are reaching the end of their useful life. In addition, typically PennVEST and other grant funding is for centralized solutions. There was no sampling. They were the Tier 2 inspections, and the results are included throughout the Act 537 Plan. The Survey Results Map is shown in the Appendix G. The sewer extension will keep businesses and restaurants in the Borough instead of moving out to locations with central sewage. Milford Borough's 2020 Comprehensive Plan (currently in draft form) included questions about resident support in the commercial and residential district. The survey of 150 residents showed 56.45% of residents expressed support for central sewage in the commercial district, and 32.26% opposed it. 14% had no opinion.
7. Outside of Borough jurisdiction. (The School District system will not meet new permit requirements and needs to be upgraded. The District completed a financial analysis to upgrade the WWTP which revealed it is cheaper to connect to the Westfall system verses completing the necessary upgrades. The Milford Senior Care and Rehabilitation Center is a private Plant and they have expressed interest in connecting to the Westfall system as well.)
8. Based on the initial inter-municipal agreement signed by the four municipalities, MATW, and HRG, an Act 537 would be prepared to explore central sewage and connecting to the existing MATW Plant.

Ultimately, the conveyance line piping and connections would be the same cost for Milford Borough as central sewage would, but there would be the increased cost of the building of the spray irrigation package system instead of connecting to an existing facility with capacity. The MATW Plant needs no upgrades, so the only cost would be the conveyance lines. The DEP does not consider Holding Tanks used as permanent septic systems to be permitted. Regarding the no action alternative, there is a shared concern between community leaders, business owners, and residents that the long-term viability and prosperity of the Borough be planned appropriately while protecting the historical character of the Borough. Milford Borough has not received or concerned itself with any pressure from speculators of developers. The Borough realistically has no land to be developed and is a highly regulated entity. Reasoning was provided in Chapter 5 for why other alternative cost breakdowns were not considered in greater detail.

9. The Plan mentions future expansions and development because the Plan will be in place for 20 years. This is not known, and a new sentence has been added into the plan stating that Milford Borough will not have new connections for 3 years after Alternative 6F is implemented without 537 Planning Module approvals and inter-municipal agreements with approval required by the Milford Authority and Westfall Authority based on the Planning Commission's recommendations. The Borough is tightly regulated and there is no land available for development. The Borough recognizes the concern for overdevelopment in Milford Township where the conveyance line to the Borough would be placed. In January 2020, the Borough agreed to work with the Township on developing an appropriate vision for the connecting corridor and creating appropriate zoning to ensure this vision is reflected in the zoning. Milford Township is also committed to this. As there will be no major land development in Milford Borough and Milford Township is not connecting to the sewer system, the classification of the Delaware River should not be a concern.
10. Milford Borough and Matamoras Borough will have a mandatory connection ordinance. Milford Township will not as there will be no connections. Westfall Township has a mandatory connection ordinance for commercial properties and will be enforcing it to utilize funding agencies. The portion of the Plan regarding Westfall Township was recently updated, but it is not relevant to Milford Borough.
11. Map 2 in Appendix C shows Wetlands. This information was shown in Chapter 2, which the DRN has indicated they did not review.

MY FURTHER QUESTIONS

1. If the Borough Council votes in sewers, and passes a Mandatory Ordinance, will waivers for residences, institutions, non-profits, and hardships in the commercial district be in the ordinance, or come later? Will these waivers have an effect on the overall funding amount, and would they comply with the state funding requirement of 100% mandatory hookups within the project area?
2. Would the Milford Water Authority handle all billing? Would it be a combined water/sewer quarterly or monthly bill? Would non-sewer and sewer water usage be separated, and would sewer usage be based on a EDU value of 200 GPD and have a minimum charge as in current water bills?
3. Will the capacity of the Westfall Treatment Plant, as established by the DRBC, have limits, or will the DRBC, as capacity demand keeps growing, just keep pushing the limits farther out?
4. If President Tarquinio reasonable position on grants is that they provide 75% of the total project cost or he will vote against sewers, are the other Councilmen in agreement? Should the majority of commercial district property owners be concerned about the short term risks of sewers(substantial costs relative to no sewers, the loss of tourism over 5 years of construction, impossible traffic backups in season on weekends, etc.)? Should concerned citizens and hooking up property owners worry about 70% funding being a fudge number?
5. How far can laterals extend off the main pipeline routes?
6. Will the private, volunteer hookups in Milford Township pay a premium over similar EDU properties in the borough, given boro properties are already paying a 20% premium because MT is not hooking up? And what is the 5-year inflation on everything?
7. What will the yearly loan payback terms be for individual properties(interest and number of years)? And what upfront and recurring items can be included(trenching, decommissioning, generator, debt service, etc.)?
8. If Milford Borough thrives under natural economic development(without sewers), which it has for many years, why would central sewage with its

burdensome costs and an extensive period of economic disruption, make sense, or be worth it?

9. If the borough adopts central sewage, won't the lack of a common sewer vision with the township put pressure on it to give in and hookup, putting added pressure back on the borough in unsolvable traffic problems, over-stressed municipal services, and a deteriorating quality of life for residents.
10. If Milford is "The Home of the American Conservation Movement", doesn't it make sense to honor that heritage with a greater effort against septic technology, esp. given the stable septic health of the Milford bluff?
11. What is the expected construction timeline in segments, i.e. from the Westfall line to the Borough line, entering the boro at two locations off Broad Street, down both alleys, up-and-down Harford, for the final repaving after digging, laying of pipe, making hookups, locating grinder pumps and manholes, and filling in? What are the dangers and precautions as it relates to working near water and gas lines?

Bill Kiger
600 7th Street
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570-618-3138
Dec. 30, 2020

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the Comment Letter from Bill Kiger on 12/30/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. There will be no waivers or exceptions.
2. Milford Water Authority will handle the Borough's billing. This will be finalized in an inter-municipal agreement with all involved Municipalities and Authorities. Sewer usage for all single-family homes would be based upon the base EDU value.
3. The three proposed alternatives for Matamoras Borough, Westfall Township, and Milford Borough will be under the Plant's current capacity. The plant's current capacity is for 374,000 GPD. If the capacity demand grows beyond the capacity, the plant would need to be upgraded and the permitted limits would need to be approved by the DEP and DRBC before those connections could be made.
4. That will have to be discussed and voted on in a Council meeting. The anticipated construction timeline is 6 to 8 months.
5. Laterals will extend to the grinder pumps.
6. Inflation is considered for the funding. Milford Township will not have any sewer connections as they have selected the No Action Alternative.
7. It would be dependent on what type of loan that is secured by the property owner. Decommissioning tasks include septic tank pumping and filling with sand. These are dependent on tank/cesspool capacity, cost of front-end loader, etc.... The cost of the electrical contractor to bring service to a location in proximity the grinder pump location will depend on electric panel capacity and the desired property owner location of the grinder pump.
8. Central sewage is a long-term solution for economic growth and is a pressing need for businesses in the commercial district.
9. Milford Township will not be connecting to the system. These costs have already been accounted for, and there will not be added pressure for Milford Township to join.
10. Central sewage will help keep the cornerstone businesses of Milford Borough in the Borough.
11. The construction timeline has not been created yet. A typical construction timeframe is 6 to 8 months. The Act 537 Plan is part of the early planning process, and these questions will be answered if the design process proceeds. Proper precautions will be done with PA One Calls, review of record drawings, S.U.E., etc. to prevent accidents with existing utilities.

Boro Secretary

From: currerim [currerim@ptd.net]
Sent: Thursday, November 26, 2020 6:33 PM
To: Boro Secretary
Cc: currerim
Subject: Comment about Act 537

To Council Representatives,

Please include my comment about Act 537, Sewage Document.

1 I am strongly opposed to OVERDEVELOPMENT in Milford Borough. The support for sewage for Milford and surrounding areas is and will be problematic. The wastewater and excrement will prove detrimental to our beautiful town, rivers, and streams. Traffic conditions will be horrendous. Milford's historical attractions will be at a 'standstill' for years to develop this project's monstrosity. Businesses are failing now because of COV-19. It will take years for them to get back on their feet after OVERDEVELOPMENT in Milford. I have lived here 25 years, and I can't remember that our river, Delaware, was ever infected with ECOLI. It is now. The plant upstream can't handle it now; imagine if we get sewers. Volunteer ambulance will have to drive through obstacles to take emergencies. Any fire outbreak will prove unmanageable because roads leading into and out of Milford will be BLOCKED with machinery, trucks, bulldozers, etc. A REAL NIGHTMARE is ahead of all those who live in Milford for ten or more years.

2 Suppose that doesn't give you food for thought, how about who PAYS for this? Across the United States, people are struggling to prepare themselves for life after work financially. A recent report from the U.S. Federal Reserve found that nearly a quarter of all American adults have no retirement savings or pension at all. When it comes to self-assessed preparedness for retirement by age, less than half of people over 60 and over have retirement savings. Medicare and Medigap have raised their premiums and out-of-pocket costs of \$2,400 have to be met before any reimbursement. That's just the deductible. It doesn't include the premiums. Grocery bills have escalated. Electric, heating bills have doubled. Who do you think lives in Milford? Jeff Bezos? Warren Buffet? Who do you think is going to pay for INCREASES in taxes to pay for this nightmare?

3 To me, this is a case of those who want what you have and then some. Why didn't they move to Port Jervis or Scranton? They have sewers. Businesses that moved to Milford should have done their homework in research. Milford is a 'seasonal' visitor's paradise. Milford is a 'village.' A small quaint village. Generations have built it, lived in it, and nourished it with their intuitiveness to KNOW it is a village. At best, farmland at the outskirts and fringes of this beautiful town. It will NEVER become a 'metropolis' as so many moved from cities and as so many entrepreneurs want it desperately to become. It will never see the light of day as a sprawling Jersey Shore or Woodstock. It has its natural beauty. But slowly, becoming a patchwork of ripped-up roads, Mardi Gra festivals, gas lines, and a haven for get-rich developers. Three POTUSs visited this GRAND OLE TOWN. PLEASE DO NOT JOIN THE HEAP OF 'GHOST TOWNS' BECAUSE OF REAL-ESTATE SPECULATION.

Midge Curreri

Milford Borough

Response to Public Comments

February 15, 2021

We have reviewed the comments from Ms. Curreri from 12/12/2020, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The Plant is permitted by the DEP and DRBC to handle the increased demand proposed in the selected alternatives. When construction occurs, a plan will be made for roads to be clear of emergency vehicles in accordance with PennDOT standards. Construction is typically a 6 to 8-months timeframe.
2. The Authority will seek grants and favorable loans. While the Plan can be adopted and approved, the implementation of the selective Alternatives are dependent on favorable financing. Sewer rates will pay for any loan debt service and system operation and maintenance, not taxes.
3. We cannot speculate on why individuals did not move to Port Jervis or Scranton, but we acknowledge your comment.

Before
THE MILFORD BOROUGH COUNCIL
(Via Zoom)

In Re: Public Comment on the Proposed Adoption of
a Sewage Facilities Plan Pursuant to Act
537

Thursday, December 3, 2020, beginning at 6:01 p.m.

PRESENT: FRANK TARQUINIO, President
GREGORY MYER, Treasurer
PETER COONEY, Councilman
JOSEPH DOOLEY, Councilman
SUSAN LYDDON, Councilwoman

LAURIE DIGESO, Borough Secretary

ANTHONY J. MAGNOTTA, ESQUIRE,
Solicitor

ALSO PRESENT: Mark Spatz, HRG Engineer

PANKO REPORTING
537 Sarah Street, Second Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. TARQUINIO: Good evening,
2 this is the Milford Borough. It's a meeting of
3 public comments of the draft 537 Plan. And if you
4 think it's something else, then you missed Dancing
5 With The Stars last night. And I'd like to begin
6 by a roll call with the members of the council.

7 MR. COONEY: Pete Cooney.

8 MR. TARQUINIO: Joe -- Joe
9 Dooley, who's got his microphone muted.

10 MR. MAGNOTTA: Joe is -- Joe --

11 MR. TARQUINIO: Let's see.

12 (Inaudible comment.)

13 MR. TARQUINIO: Hey.

14 MR. MAGNOTTA: Suzie just
15 joined us too, also.

16 MR. TARQUINIO: Susan? She
17 needs to be unmuted.

18 (Discussion off the record.)

19 MR. TARQUINIO: I -- well, I'll
20 call the meeting to order and we'll say the pledge
21 of allegiance.

22 (Pledge of allegiance was
23 recited.)

24 MR. TARQUINIO: Good evening.
25 This is -- this is the comment on the 537 Plan, the

1 draft 537 Plan. There is a st -- a formal court
2 stenographer here to take down all the comments of
3 everything that's said in the meeting, so there
4 will be an official record of it. I am going to
5 ask everybody now, if you wish to speak, to send to
6 Laurie, because just to make it -- to faci -- to
7 facilitate that we don't have big delays between
8 people speaking. She can make a list; and when one
9 person's done, she can unmute the next person and
10 we can continue.

11 Each person, when they first get
12 on, if they can please state their full name, their
13 full address and whether they're a resident of the
14 borough or not. And you can tell if you're a
15 resident of the borough, if you voted in the
16 borough, that's probably the easiest, so that we
17 have a list. It does not mean everyone won't be
18 heard.

19 If somebody is not sure whether
20 they want to say something, I would say put your
21 name in; and if somebody has said that what you
22 want to say before you, it's perfectly valid to be
23 unmute -- to say, I fully support what another
24 person has said, and that way it will go down on
25 the record and you don't have to repeat everything

1 if you don't want.

2 I guess with that, Mark Spatz is
3 the engineer from HRG, which is the company that
4 the four townships commissioned to write the 537
5 and do the study, and he's here tonight. Our
6 solicitor is here tonight and members of the
7 council are --

8 (Brief interruption by the
9 reporter to have all council members state their
10 name.)

11 MR. TARQUINIO: Frank
12 Tarquinio.

13 MR. COONEY: Pete Cooney.

14 MS. LYDDON: Susan Lyddon.

15 MR. TARQUINIO: Joe?

16 MR. MAGNOTTA: Joe Dooley's
17 muted again.

18 (Discussion off the record.)

19 MR. DOOLEY: Joe Dooley.

20 THE REPORTER: Thank you.

21 MR. DOOLEY: Thank you.

22 MR. MAGNOTTA: Tammy,
23 officially for the record, Anthony Magnotta,
24 solicitor.

25 MR. SPATZ: I'm Mark Spatz from

1 Herbert, Rowland & Grubic.

2 MR. MAGNOTTA: And just to
3 follow up on what President Tarquinio said, if
4 everyone could just make sure that they identify
5 themselves so that Miss Panko can make sure that
6 she has your name appropriately in the record. And
7 if she asks you to spell your name, don't be
8 offended, it's only because she wants to make sure
9 she has it correct, okay?

10 Thank you, everyone.

11 MR. TARQUINIO: Historically
12 this began, this -- I -- I want to call it a
13 journey or a trek, in 2018, with an invitation to
14 attend the meeting with Milford Township and
15 Westfall Township, to discuss the possibility of
16 Milford Borough connecting to the Westfall Township
17 Authority -- Wastewater Authority. And after eight
18 months of discussions, understanding, in early 2019
19 the borough voted unanimously to engage in the
20 study, the -- and by doing an intermunicipal
21 agreement, together with the township and with
22 Westfall and with Westfall Authority.

23 Between that, in June, Matamoras
24 asked to join us, so we redid the intermunicipal
25 agreement; and so there were four municipalities

1 involved in it. The first part, most of 2019 into
2 the first three months of 2020 were spent doing the
3 studies, doing the on-lot inspections; and then the
4 last four months after that were done in preparing
5 the 537. After that, from the borough, we got it
6 in the beginning of -- I think the end of July,
7 beginning of August, we reviewed it ourselves for
8 any comments we might have. We asked the water
9 authority to review it, which they did.

10 Since then it's been two months
11 with the planning committee, for them to review it
12 and be sure it made sense in conjunction with our
13 comprehensive plan and our ordinances. And now the
14 next step required by the state is that we have
15 public comments. Due to the COVID-19, we're doing
16 this by Zoom. And we'll have two meetings. We
17 have another one scheduled on the 17th, to be sure
18 we hear everybody. If we need to have a third one,
19 we will have a third one.

20 We also recommend anybody to put
21 their comments into writing so that it can be
22 submitted and get a review that way. It's very
23 hard to get every review and answer it verbally.
24 And somebody who speaks tonight verbally and wants
25 to send something in writing, they're more than

1 welcome to do it both ways. And we really want to
2 make sure everyone's heard. And hopefully -- we'll
3 go for two hours tonight, which is about the limit
4 of what we can, you know --

5 MS. DIGESO: Frank, do you want
6 (inaudible) time limit for talking?

7 MR. TARQUINIO: It would be
8 great if you could keep it to five minutes. If you
9 can't, you know, if you have something that's going
10 to be 20 minutes or so, it would be better if that
11 was submitted in writing and really that enables
12 everyone to say something rather than, you know,
13 going back and forth, and it's really not meant to
14 be a dialogue. It can be questions and hopefully
15 easy ones can be answered; otherwise the -- they
16 all have to be answered in some way and submitted
17 to the DEP as part of this process.

18 So the fact of whether you like
19 the answer tonight or not, the answers will be
20 submitted to DEP.

21 Tony, you wanna say anything at
22 this point?

23 MR. MAGNOTTA: No. I just want
24 to remind those who may have come on a little bit
25 after we got started that Tammy Panko Shaw is

1 present, she is a court stenographer. So if --
2 when you are directed by the chair for your
3 comment, please give your full name and your
4 address so that she can -- she can make it as part
5 of the comments on record.

6 Thank you very much.

7 MR. TARQUINIO: Even if we know
8 who you are, remember that, you know, Tammy needs
9 to have the full information for the record. So if
10 you could honor that.

11 Mark, do you want to talk a
12 little bit about the 537 before we begin?

13 MR. SPATZ: Sure. Yeah. So
14 what I was planning to do is go through the -- just
15 a -- a quick brief on what the 537 contains. It's
16 a -- it's a fairly large document, but a lot of it
17 is -- can be boiled down to, really, a couple high
18 points.

19 So to digress a little bit,
20 welcome everybody tonight, Tammy, again, Mark Spatz
21 from Herbert, Rowland & Grubic. I -- HRG was hired
22 by the consortium, the collaborative, however you
23 want to call it, the stakeholders group, to
24 complete this 537 Plan. A 537 Plan is a planning
25 document, just like a comprehensive plan, and the

1 intent of the 537 Plan is to define and look at
2 what sewer would look like in the community for the
3 next -- usually has a planning window, maybe a 10
4 to 20 year period, and it-- it looks at the
5 assessment of the on-site -- the on-lots that are
6 there 'cause most communities have on-lot disposal,
7 just historically, you know, before public sewer
8 was available.

9 And then also typically looks at
10 public sewer options because when you get into a
11 tighter community, like a borough or even
12 commercial areas in a township, when systems,
13 on-lot systems fail and they can't be
14 rehabilitated, it can really put the property in --
15 in a tight way, to the extent that if a property
16 with an on-site system fails and there's no
17 location and it can't be rehabilitated and there's
18 no room for a secondary, you may -- it may have --
19 the borough may have to condemn the building, and
20 that obviously has a tremendous impact on the
21 property owner because now you can't use that for
22 any kind of building occupancy and you really don't
23 have any options for public sewer, if public sewer
24 doesn't exist.

25 So that's -- that's always a

1 trend that you'll see as municipalities grow and
2 they get a denser population, that public sewer is
3 a part of that assessment, for that -- for that
4 very reason.

5 So with this, hopefully I can
6 share my screen here. Let me see if I can --
7 though it says host disabled participants --

8 MR. TARQUINIO: Laurie, you
9 might have to allow him to share it.

10 MS. DIGESO: Yeah. I am -- I
11 absolutely can do that.

12 MR. SPATZ: I'm gonna do my
13 best, I only have one screen at this location, so I
14 might not be able to see everybody as I'm jabbering
15 on. Let me see if I can get this -- still can't
16 share yet.

17 MS. DIGESO: I'm going to make
18 you another co-host so that you can go ahead and
19 share.

20 MR. SPATZ: Perfect. There we
21 go. Thank you.

22 MS. DIGESO: You're welcome.

23 MR. SPATZ: All right. See
24 down the -- I can see you on the side.

25 So what I would like to do

1 typically with these is, just come right from the
2 537 document itself, so that builds in some
3 familiarity if this might be the first time you're
4 seeing it tonight. And then, of course, I want to
5 point out where people can get -- view this plan
6 online. So if you -- the borough hosted on their
7 website --

8 Enter the waiting -- I guess
9 somebody entered the waiting room. Okay, you got
10 'em.

11 If you can't find it on the
12 borough's website, if you go to -- let me put it up
13 here on the address bar. I gotta get this address
14 bar out of the way. If you go to
15 tinydotCCforwardslasheasternpike 537, so that's
16 E-A-S-T-E-R-N-P-I-K-E 537, and just hit enter on
17 any web browser, and that will take you right to
18 the document. The chapters are wherever the meat
19 is of the -- of the report and they're broken down
20 -- obviously you hit this name and it puts them in
21 order here. The cover is just a cover sheet.
22 We're going to be looking at a couple of these, but
23 for a --

24 Just a real brief for everybody,
25 if you're looking just to read only a couple pages,

1 that's what the (inaudible), so you can take a look
2 at that, and that's, I think, two or three pages.
3 I didn't count them. I think it's two or three,
4 maybe it's four. And the other real meaty parts of
5 the report are -- of the plan is Chapter 5 and then
6 I would say Chapter 8. They're -- I would say
7 anything from Chapter 5 through 8, you know, maybe,
8 you know, worth your time, taking a -- taking a
9 read through if you're interested.

10 A lot of the stuff in Chapter 1,
11 2, 3 and 4 are assessments of the existing
12 conditions, like the existing wastewater treatment
13 plant at Westfall, the soils in the area, all good
14 information. You're, of course, welcome to review
15 those, but they're very engineering minded and it's
16 something that's a requirement of the DEP. So,
17 again, this is where you can download the -- and
18 take a look at the -- in the (inaudible) documents.
19 Of course, you just click on them.

20 So I can click on Chapter 5 here
21 and then we'll just open that PDF, so you don't
22 even need PDF software on your computer or
23 anything. You can actually look on this in your
24 smart phone or tablet or anything, so it's very
25 accessible in today's modern world with -- with

1 computers and smart -- almost everybody has a smart
2 phone. So, and just open it there, of course you
3 can print, so on and so forth, so it's a lot easier
4 and more accessible than they used to be in the
5 past.

6 Just taking a look again, here's
7 the cover of it, so you can see we're talking --
8 the assessment was looking at portions of Westfall
9 Township, portions of Milford Township, the
10 entirety of Milford Borough and the entirety of
11 Matamoras Borough. The portions along Westfall and
12 Milford Township were right along three lane with
13 Route 6 and 209, just focusing on the commercial
14 districts. That was from the get-go, the real big
15 focus of this plan was doing an assessment of the
16 commercial districts within the towns.

17 In the boroughs, specifically in
18 both boroughs, since geographically boroughs aren't
19 -- they're not that massive compared to like a
20 township, you can actually, you know, see this on
21 -- on a plan, the on-site assessments were done for
22 the entire borough to make sure that there weren't
23 any specific areas that needed to be addressed in
24 the plan. DEP typically would require that 'cause
25 they want to know, you know, if you did a --

1 assessment of a certain section of the town, well,
2 why didn't you look at this other part of the town,
3 how do you know there's not failures over there
4 that need to be addressed, so on and so forth.

5 So we do the assessment of both
6 towns, both boroughs, the entire boundary. We did
7 not find specific patterns or anything of that
8 nature that needed to be addressed, and we'll talk
9 about that in a little bit, in a second here. Let
10 me get out of this screen view. You have to see
11 some of my PDF software here just to -- just to
12 make it a little easier for myself here.

13 So this is the executive
14 summary, and you can see basic -- I'm not going to
15 read this because you can read it yourself, but
16 ultimately it had a recommendation for public
17 sewer, along the main corridors in the commercial
18 districts within the town. Again, typically
19 commercial -- commercial on-lot systems have a
20 higher failure rate, have more of a demand for
21 sewer than a residential, so that fits in line.
22 And also there's economic purposes to that as well.
23 You know, a lot of times municipalities -- again,
24 this is the municipality plan, right?

25 Many communities want to be able

1 to provide public sewer options to commercial areas
2 because it's what generally, not all, but generally
3 it's what commercial ventures want to have. Many
4 times businesses are not in the sewer business.
5 They're in the auto parts, food sales, grocery, you
6 name it kind of business and they don't want to
7 deal with sewer. They want to flush the toilet,
8 wash the sink, whatever they need to do. It goes a
9 -- it goes and it's, you know, addressed by an
10 entity that's in the sewer business, to some
11 extent.

12 Authorities, public authorities
13 are kind of in the sewer business, although they're
14 a public entity. They're obviously a
15 non-for-profit, they're -- they're a municipal
16 entity, so they don't -- there's no profits or
17 anything like that, but they're in charge of
18 operating a sewer and many times it's operated like
19 a business, to make sure it's generating enough
20 income to take care of the expenses, things of that
21 nature.

22 The other recommendation is for
23 the other areas outside -- mostly outside the
24 commercial districts -- I think exclusively outside
25 the commercial districts, to remain as on-lot

1 systems. So within the borough specifically we're
2 talking about Broad Street and Harford Street, and
3 we'll look here at a map, and it -- the
4 recommendation in the plan is for those systems to
5 remain as on-lot systems or we call them OLDS. So
6 you'll see that, on-lot disposal systems, OLDS is
7 the abbreviation. They would say it's OLDS.

8 And this is the last page of the
9 -- is actually a summary, so you can see just three
10 pages. Talks about a schedule. Specifically here
11 is the borough's schedule where -- as a part of an
12 on-lot system, staying on the -- in the -- on the
13 OLDS systems, generally in the modern times the
14 department wants to see some sort of monitoring
15 program by the municipalities. You know,
16 historically there has been some, you know,
17 monitoring by the SEO's within the communities to
18 make sure on-lot systems are not failing or causing
19 public health, safety or welfare concerns.

20 And it's really an -- an -- OLDS
21 monitoring is really to kinda solidify that and get
22 that in -- codified, so that the -- so it's -- it's
23 just a little bit more formalized, so that, you
24 know, the -- the municipality -- just like they're
25 making sure that the road infrastructure, which is

1 obviously vital infrastructure for any community,
2 along with the water infrastructure, the sewer
3 infrastructure, or if you're recommending to stay
4 on OLDS systems, 'cause OLDS systems are vital
5 infrastructure for your community. So it's really
6 just to make sure proper due diligence is being --
7 is being done there and maintenance.

8 In the borough's case they're
9 going to have a five year monitoring period where
10 they'll be looking at the on-lot systems. Largely
11 the systems from what we have seen are in fairly
12 good shape. They're not -- they're not confirmed
13 failures in DEP's eyes. So it's really just, keep
14 an eye on those, making sure they're in -- they're,
15 you know, remaining functional, there's not any
16 obvious failures. And if they are, then the
17 borough will see where they want to go in five
18 years from now with a -- either codifying an OLDS
19 ordinance or just, you know, keeping active with,
20 you know, the same monitoring that's really been
21 going on since, you know, the '60s, of the systems.

22 There's also a schedule here as
23 well for implementation of the structural
24 alternative which would be the public sewer. And
25 do keep in mind, this is this -- the structural

1 alternatives are always caveat based on, you know,
2 sustainability or being able to finance, you know,
3 we did -- we looked at assessments of how much
4 things would cost. And a part of that is an
5 assumption of a certain amount of public grant
6 funds, that that assumption is met, you know, the
7 schedule is on -- is really caveated, as you can
8 see on these schedules here, caveated that that
9 favorable funding, public and private alternatives
10 may be feasible. And if -- and if not, then the
11 implementation won't be moved forward.

12 So it's not one of those things
13 that, you know, would move forward unless the
14 assumptions that are within the study are met and
15 some of the assumptions -- I know one of them is a
16 -- you know, we get 45 percent grant from USDA,
17 which is a totally an achievable item, so that's an
18 assumption there. So obviously if that would
19 change or wouldn't happen for some reason, the
20 projects wouldn't move forward until -- until that
21 can occur.

22 And again, this is the borough's
23 plan. This is -- so we -- as HRG's role, we draft
24 the plan that's highly technical, but ultimately
25 each municipality has to literally adopt the plan,

1 make it their own, so if there is any changes or
2 whatnot, that's, you know -- or the specific
3 language in the plan, that's at the desire of the
4 borough.

5 We did look at cost estimating
6 for the structural alternatives, so you can find
7 that in Chapter 5. And this actually breaks down
8 the costs for the public sewer option, 'cause that
9 would be, obviously, a communi -- a community based
10 thing. The OLDS systems that would remain OLDS,
11 obviously those are maintained by individual
12 property owners, that would continue the same, so
13 there is no cost to a municipality in that regard.
14 It's just the cost to the private property owner.

15 Whereas a public sewer option,
16 that's a publicly funded project at that point, so
17 we take a closer look at that, break down the cost,
18 what cost would that be. We can see all the
19 details of how that cost was generated and then you
20 can see the -- the total amounts down here at the
21 bottom. So you're looking at, you know, just the
22 construction estimate, around 5.7 million. When
23 you do it -- we have a 20 percent contingency, so
24 on and so forth. So that kinda all adds together
25 there.

1 There's a summary here, that we
2 looked at multiple alternatives. So in -- in terms
3 of the borough, so now we're on, again, Chapter 5
4 -- 5 dash 26. And we looked at -- specifically,
5 you know, you wanna look here on the left, the
6 study area, so you wanna look for Milford Borough.
7 So we're down here, Milford Borough Street; Milford
8 Borough Broad Street only alternatives and there
9 was a Milford Borough Broad and West Harford Street
10 alternatives, and then there was a Milford Borough
11 Harford and Broad alternatives here as well. So
12 it's kind of a grouping of all these alternatives.

13 On the right-hand side these are
14 broken down for cost per EDU, so it's not the cost
15 -- it's not like the monthly fee or anything, we
16 just broke that down into a cost number just to
17 evaluate the alternatives themselves and see which
18 is the least expensive alternative, 'cause that
19 generally drives (inaudible) which is the best
20 alternative. That's kinda what engineering is.

21 Can you hear me, Tammy?

22 THE REPORTER: Well, you -- you
23 -- no, not that last sentence, no.

24 (Discussion off the record.)

25 MR. SPATZ: So we broke the

1 alternatives down and the borough decided to move
2 forward with Alternative 6F, so that is the one
3 that we move forward with.

4 And then on Table 526, that
5 further breaks that down and looks at the cost for
6 the property owner, you know -- or for the people
7 that would be connecting the system, looks at the
8 cost per month. So we're looking at Alternative
9 6F. We're looking at a cost of around \$76 per
10 month, for people that would be connected to the
11 system, and that's per EDU. So that's per month,
12 per EDU.

13 A -- an EDU, if you see that in
14 the report, that's an equivalent dwelling unit.
15 It's just -- it's just how the department has
16 defined how 537 planning should be done. Let me
17 digress onto that point a second. This plan is not
18 arbitrarily put together by HRG and this is how we
19 do things. It is thoroughly controlled and laid
20 out exactly how it needs to be done specifically by
21 the Pennsylvania Department of Environmental
22 Protections. So we're following their guideline
23 and there's not a lot of flexibility in a lot of
24 cases. So when you see certain things and how
25 they're done a certain way or certain terminologies

1 we have to use those procedures and terminologies.

2 So how it's laid out in the
3 guideline is, one house is one EG -- is one EDU.
4 If you have two houses, that's two EDU's; three
5 houses is three EDU's. So each house is an EDU.
6 Now, for commercials, they don't -- they don't --
7 they're not a house. So you have to define a flow,
8 gallons per day of flow coming -- you know, being
9 -- you know, leaving the property.

10 And what defines an EDU, in the
11 study, 200 gallons per day defines one EDU. So
12 it's, again, we're assuming 200 gallons every day
13 from each house. There's not many prop -- house
14 properties in the study itself, but if there are,
15 it's 200 -- we're assuming 200 gallons per day, and
16 that's what Westfall's been using for a long time.
17 And then each commercial property, you take their
18 flow, divide it by 200, that's how many EDU's that
19 business would represent.

20 So when we're looking at these
21 costs, these are per EDU, user rate per month, per
22 EDU.

23 MR. TARQUINIO: Mark, I'm just
24 going to -- it would be good to mention to people
25 that the amount of EDU's is determined by the water

1 bills, from the intake of the water bills.

2 MR. SPATZ: Correct. So
3 fortunately the borough has very good water
4 records. Many times we're estimating it and, you
5 know, estimations are always good, but they're not
6 as good as actuals. So we were able to get the
7 actual water use for over a 12 month period, and
8 that's what we're basing the EDU counts on, and so
9 on and so forth. So the numbers in here are -- are
10 -- are -- they're still projections and there's
11 some -- some variation in it, but they're pretty
12 tight compared to like other 537's.

13 So that is kind of the specifics
14 on numbers. We talked about where you can get the
15 plan, where you can view certain sections, so we
16 talked about Chapter 5 and then we kinda skipped
17 right to Chapter 8, just like I talked about early
18 on. Let's show a little -- couple graphics here
19 just to -- show a couple maps, just to make sure
20 everybody's, you know -- I think that will help
21 with just understanding.

22 Again, we looked at these
23 specific areas or these municipalities. These are
24 all the soils maps. I'm just gonna skip down
25 through that stuff. We're aqui -- it's required

1 mapping that we need to do. The study area for the
2 plan itself -- let me do this. There you go. The
3 study area for the plan itself, as you can see, is
4 this green highlighted area, the blue highlighted
5 area and then you can see the borough within here
6 and then over -- over here -- Matamoras is over
7 here as well. We have parts of Westfall over here.

8 So specifically looking at the
9 borough, it's the entirety of the borough as the
10 study area and then these other areas as well.
11 Take this back. To just talk about flows and, you
12 know, where's the sewer gonna go, ultimately, the
13 public sewer alternative for the borough would
14 collect -- and I'll show a map specifically in
15 regard to that, but we have West Harford Street and
16 Broad Street, the public sewer lines would convey
17 down through here, go down Route 6/209, all the way
18 down, and there is a termination of the Westfall
19 line here at Walmart. From there, get picked up by
20 Westfall's lines and go into the wastewater
21 treatment plant.

22 Westfall would be extending
23 their line out to the Westfall boundaries, so
24 actually the -- the -- the project that -- that the
25 borough slash township -- in the borough slash

1 township areas would be, you know, in this vicinity
2 right here and then, again, Westfall is planning to
3 extend up to the township boundary.

4 Ultimately the wastewater
5 treatment plant is here which then has a permitted
6 discharge by the PE -- DEP and the DRBC into the
7 Delaware River. The plant capacity is 374,000
8 gallons a day, so that's this red line up here.
9 This is their existing flow, so they're -- they're
10 averaging around -- and you can see this -- this .1
11 is a hundred thousand gallons a day. We -- we --
12 it's measured in MGD, so it's six decimals off but
13 -- so around 80,000 gallons. Then you can see it,
14 of course, fluctuates up and down here. This is
15 the projection adding in all the properties from
16 the -- in the planning area -- not in the planning
17 area. All the properties that are -- not even all
18 the properties.

19 This is the -- the additional
20 flow for some of the properties along the planned
21 sewer route. It's not all the properties 'cause
22 there's no projected connections in Milford
23 Township, for example, and there's some properties,
24 of course, along the borough's lines that -- a few
25 that are not projected to connect as well. The

1 majority are -- that are within the borough, that
2 are along -- that are adjacent to the proposed
3 route of sewer, which we talked about, again, in
4 the commercial district, on Broad Street and West
5 Harford Street. So this is adding those flows,
6 projecting that out for a five year period, you can
7 see it increases the flow to the wastewater
8 treatment plant but not that much, nowhere near the
9 hydraulic capacity.

10 This is the organic capacity.
11 So this is actually going to be the limit -- the
12 limiting factor here as well. These are the peaks.
13 You can see that gets a little closer, but we don't
14 exceed that and that's after assuming a hundred
15 percent build-out of everything that is --

16 (Brief interruption by the
17 reporter for clarification on testimony.)

18 MR. SPATZ: It's a hundred
19 percent build-out of everything that's -- is
20 assumed within the plan, the 537 Plan.

21 These figures that I was showing
22 here before, these can be found in Appendix C. We
23 were just in Appendix D. Now we're looking at
24 Appendix F. If you go into Appendix F, you go to
25 Alternative 6F, you can see the flow projections

1 individually done by each property and then the
2 total. So from the borough we're anticipating
3 immediate connections of 56,800 gallons per day.
4 So it's a little over half of what goes to the
5 wastewater treatment plant now at Westfall.

6 And then Appendix G, these will
7 be the two maps and then I'll wrap up and I'll take
8 any questions. This is the map of the borough
9 area. These are where we did the on-site sewer
10 evaluations. And what we're looking really for
11 here is, did we find any red dots. So red dots are
12 confirmed failed systems. You can see there's a
13 couple here in West Harford, not -- not too many.
14 And there's one here on Broad Street. And that's a
15 good thing because it gives the borough flexibility
16 with where they, you know, routed the sewer.

17 If we would've done a -- in this
18 assessment and found a ton of red dots in a certain
19 vicinity, obviously the department would be
20 expecting that to be addressed, either the system's
21 replaced on-site and/or public sewer made
22 available, it's basically how, you know, the -- you
23 have these confirmed failures, how you're gonna
24 address them. But that was not the case. We
25 didn't find any clustered confirmed failures.

1 They're just sporadically throughout here.

2 The yellow dots mean that
3 they're suspected. What suspected means, we can't
4 really ascertain one way or the other. We can't --
5 we don't see any obvious evidence of a confirmed
6 failure, so they're kinda put in the we don't know
7 category, and that's, again, per DEP's guidance.
8 There's very strict criteria on how you evaluate
9 the on-site systems.

10 So this stuff was done -- and
11 you probably see -- you probably may have been
12 visited or recall seeing a gentleman from HRG going
13 around, it was right before COVID, luckily enough,
14 because we wrapped up like the week and then
15 everything shut down and it's a good thing we got
16 that done.

17 Finally this is in Appendix I,
18 is the map of the proposed sewer routing, so you
19 can see it just coming down three lanes, red line,
20 and we would split on Broad Street, go down the
21 alleys to have -- so we can pick up the back of the
22 buildings a little easier and have less impact on
23 -- on the main route there. On West Harford
24 Street, though, there is not alleys on both sides.
25 So to make it available to commercial properties on

1 both sides of West Harford Street, the best way to
2 do that is just go down West Harford Street. So
3 there will be some impact to the street, obviously,
4 the road -- the road cut would be, you know, fixed
5 and paved and all that kind of stuff again, but,
6 you know, the construction equipment there while
7 it's getting laid down.

8 The alternative that was
9 selected was a low pressure system. So a low
10 pressure system means it's pumped sewer. That
11 means each property that would be along the route
12 that would have sewer service would have a grinder
13 pump. We can address questions about that tonight
14 if anybody has any of those, but there -- there's
15 -- there's a plethora of reasons why that
16 alternative was selected and most -- you know,
17 really comes down to flexibility and the design
18 flexibility in making it easy for property owners
19 to implement onto their property, because you can
20 kinda place them anywhere, and the overall costs.
21 You know, gravity sewers are a lot more expensive,
22 which obviously then just trickles into the rate,
23 the pr -- the projected rate.

24 A lot of what civil engineering
25 does in municipal guidelines is find the least

1 expensive way to get the job done that they -- they
2 -- to do a good job for a municipality but
3 ultimately to get the job done. You know, if
4 you're going to build this bridge, we gotta get it
5 from one side of the creek to the other side of the
6 creek, we need a bridge that's not gonna fall down,
7 it's gonna last, but what's the least expensive way
8 to build that bridge.

9 It's the same thing for sewer.
10 With sewer, you know, what would it look like for a
11 commercial area, you want it to last, you want it
12 to not fall down, but what's the least expensive
13 way to all do that because ultimately, you know,
14 municipalities are funded through great payers and
15 taxpayers so we wanna make sure we're doing the
16 best job we can for the constituency.

17 With that, hopefully that gives
18 a general overview of the 537 Plan and I can
19 address any questions or you can --

20 MR. TARQUINIO: I -- I think --

21 MR. SPATZ: -- comments.

22 MR. TARQUINIO: I think if we
23 take two minutes and anyone who wants to address by
24 questions, comments, send Laurie your name by chat
25 or by cell phone, to let her know, and that way we

1 can call one person after another and unmute them,
2 that would be the easiest.

3 So if you see, there's a chat
4 button at the bottom, if you'd just put your name
5 in it.

6 Laurie, then if you can just,
7 you know --

8 She'll unmute you one by one.

9 MS. DIGESO: Yep.

10 MR. TARQUINIO: Otherwise we'll
11 have one person and we'll go -- wait in between.
12 So let's take two minutes and --

13 MS. DIGESO: I'm going to
14 unmute Fred Weber first. He has a question.

15 MR. FRED WEBER: Okay. I think
16 I'm on.

17 MR. TARQUINIO: Okay.

18 MR. FRED WEBER: Mr. Spatz,
19 welcome back and thank you for that informative
20 session.

21 Couple of things. So I actually
22 contacted the DEP and (inaudible) the borough --

23 MR. TARQUINIO: I'm going to
24 interrupt you and it's not because you're doing
25 anything wrong. Can you please state your full

1 name, your address and whether you're a borough
2 resident so that we can --

3 MR. FRED WEBER: My name is
4 Fred Weber, one B like the grill, 315 West Ann
5 Street, Milford Borough, proud citizen of Milford
6 Borough.

7 (Brief interruption by the
8 reporter due to poor internet connection by Mr.
9 Fred Weber.)

10 (Discussion off the record.)

11 MR. MAGNOTTA: Sorry, Fred.

12 MR. FRED WEBER: That's good.
13 That's good. So the name is Fred Weber, 315 West
14 Ann Street, Milford Borough.

15 THE REPORTER: Better. That's
16 better.

17 MR. FRED WEBER: Okay, good.
18 Thank you.

19 So, Mr. Spatz, welcome back, and
20 thank you for that overview. One thing I did wanna
21 mention is, I contacted the DEP about why the
22 entire borough was canvassed when we were just
23 talking about the commercial district. And their
24 response was that, that is not mandated by the DEP,
25 okay? So I'm assuming that maybe the borough was

1 canvassed to maybe give credence to the OLDS
2 ordinance that was initially in this document. I
3 don't know that for sure but I assume.

4 So on to the EDU portion of
5 this, this has been confusing, I think, for
6 everyone. And I think one of the things that you
7 need to look at, the owners that are pro-sewer in
8 the commercial district, I think at this point,
9 have absolutely no idea what the cost is going to
10 be. So let's assume that you get 75 percent
11 grants, that makes your monthly EDU cost \$54. So
12 if I use a thousand gallons a month, is that five
13 EDU's and am I paying five times 54 or how does
14 that work?

15 MR. TARQUINIO: Mark --

16 MR. SPATZ: Yeah, that would be
17 five EDU's, yeah. It would be five times 70 --
18 yes, times the 50's -- yep.

19 MR. FRED WEBER: Because the
20 assumption's being made that we are going to get at
21 least 75 percent funding.

22 So the other question is to the
23 borough council, if somebody wants to answer it.
24 The Act 537 assumes 45 percent as a go, but the
25 recent meetings that we've had, it's like we had --

1 expectation is 75 percent, is that the bench mark
2 or will this get a green light at 45 percent?

3 MR. TARQUINIO: I'll answer for
4 me, Fred, which is, it would -- it would not get a
5 green light from me at 45 percent. I think there's
6 -- there's something which is -- I think Mark
7 mentioned, that there is that affordability index.
8 So I think that says we could charge \$72 a month
9 for an EDU. I don't think that's realistic for the
10 borough. So for me I couldn't vote if we were
11 gonna put undue costs on any of them.

12 You know, and to be honest, the
13 -- the single property owners, that would -- you
14 know, so I could not vote for it, but, you know,
15 you'd have to ask everyone. I think the borough
16 has consistently said to council that they would
17 consider 75 or 80 percent as the base and try to
18 get more, try to get funding -- other grants for
19 things such as the initial cost of hookup and such
20 things.

21 MR. FRED WEBER: Okay. That --
22 that's very good. That's good to know, thank you,
23 Frank.

24 Again, one other question, you
25 addressed the fact that we're using the alleys

1 paralleling Broad Street and not actually doing
2 Broad Street. Now, for the folks that are along
3 East and West Harford Street, their plumbing is in
4 the back, which will now have to come to the front.
5 So, Mr. Spatz, do you see that as a significant
6 expense?

7 MR. SPATZ: Their plumbing
8 won't need to come to the front.

9 MR. FRED WEBER: How's that?

10 MR. SPATZ: Because you can put
11 the grinder pump in the back.

12 MR. FRED WEBER: Right. So
13 they --

14 MR. SPATZ: The grinder pump
15 has a one -- an inch and a half, so it comes into
16 the grinder pump and then the pump pumps it. The
17 pipe that has to actually go out to the sewer
18 lines, an inch and a half lines, so we're talking
19 about that big. It has to be buried at depth, but,
20 yeah, it will have to be buried around. Now, the
21 -- the project is going to incur that cost, so
22 there is no cost to the property owner for that.

23 So what would -- what typically
24 happens during construction is, as the line is
25 coming up the street, there'll be a representative

1 from the borough. It's either, you know, we've
2 done this in the past, that's why they call them
3 residential project representatives. We don't call
4 them inspectors. And that RPR, for short, would be
5 out in advance of construction, would set up a
6 meeting door to door with each person and say, hey,
7 we -- let's go look at your property, where would
8 you like to place this grinder pump.

9 MR. FRED WEBER: Okay. Thanks.
10 That -- that's very good. That's good to know.

11 Now, as far as the actual
12 connection, if you have to dig up, say, a backyard
13 with pavers, installation, you might have to move
14 fencing, bushes, who knows what, that cost will be
15 on the homeowner or the -- or the commercial
16 establishment?

17 MR. SPATZ: It will be on the
18 construction for the line. It'll be on the
19 project.

20 MR. FRED WEBER: What does that
21 mean? It's paid for?

22 MR. SPATZ: It's not going to
23 be on the homeowner. It's going to be on the -- on
24 the project cost 'cause the -- the -- right now the
25 estimates take into account that the project or the

1 -- the authority, in most cases this will be the
2 authority, the Milford Authority managing the
3 construction of this or as the entity that is in
4 charge -- you know, it can be the borough council --
5 it could be the borough or could be the authority.
6 Right now my assumption is, it's gonna be the
7 authority.

8 That's what authorities are for,
9 is to -- that they would -- that this -- the cost
10 to install that grinder pump as a part of that
11 project, so the same cost to go down Main Street
12 and then repair the curb and repave the trench for
13 -- not Main Street, West Harford Street, that'll be
14 on the cost of the project; the same thing for the
15 installation of the grinder pump and then all the
16 restoration that's involved as well.

17 MR. TARQUINIO: I was going to
18 add one other thing with that. One of the reasons
19 the grinder pumps were chosen was the fact that we
20 don't have to do rerouting of plumbing in
21 properties that --

22 MR. FRED WEBER: Okay. That's
23 good to know.

24 (Inaudible comments.)

25 MS. DIGESO: Yes, Meagen Kameen

1 had some questions.

2 MR. TARQUINIO: Sure.

3 MS. MEAGEN KAMEEN: Hello?

4 MR. TARQUINIO: Hi, Meagen.

5 MS. MEAGEN KAMEEN: Hi, how are
6 you?

7 Meagen Kameen. I'm calling in
8 proxy for Marie Kameen, of 308 Third Street,
9 Milford, PA, which is a borough address.

10 THE REPORTER: Meagen, could
11 you just spell your first and last name for the
12 record?

13 MS. MEAGEN KAMEEN: Sure.
14 M-E-A-G-E-N K-A-M-E-E-N.

15 THE REPORTER: Thank you.

16 MS. MEAGEN KAMEEN: Thanks.

17 Okay. I have a couple financial
18 questions. So the chart -- it's either on page 8
19 -- 8 point 3, 8 dash 3, the chart that shows the
20 mix of financing and grants shows a total amount of
21 6.1 million dollars, which would be financed or
22 covered by grants, is that correct?

23 MR. SPATZ: A portion of that
24 would be covered by grants.

25 MS. MEAGEN KAMEEN: And the

1 other portion would be financed through loans?

2 MR. SPATZ: Correct, yes.

3 MS. MEAGEN KAMEEN: Okay. So
4 then I go to the chart on page 5 dash 37 --

5 MR. SPATZ: Yep, I gotcha.

6 MS. MEAGEN KAMEEN: -- which
7 shows the estimated costs of the project. And that
8 total is 8.65?

9 MR. SPATZ: Yep.

10 MR. MEAGEN KAMEEN: So my
11 question is, the approximately \$2,000,000
12 difference, which appears to come from engineering,
13 admin and legal fees, does that amount not get
14 financed?

15 MR. SPATZ: So the difference
16 is the pro -- the cost on Table 5 dash -- let me
17 share this. Can I share yet? It'll be a lot
18 easier for everybody else to follow what the heck
19 we're talking about, 'cause if it's a, you know --
20 all questions are good questions, right? So if one
21 person has it, I'm sure multiple people have it.

22 This cost is the complete length
23 of the line, so that is from Walmart --

24 THE REPORTER: That is from
25 what?

1 MR. SPATZ: -- to all the way
2 up.

3 THE REPORTER: From Walmart,
4 you said?

5 MR. SPATZ: Yes, that's from
6 Walmart -- I think everybody -- just to make sure,
7 I mean, Walmart is in Westfall Township, at the end
8 of the authority's system. So when I say Walmart,
9 basically I mean from the end of Westfall's system.
10 So it's from Walmart all the way to the borough;
11 however, the portion of the construction that is
12 from, again, Walmart to the Westfall Township line,
13 that's actually split out and that is gonna be
14 financed by Westfall, and that is contained -- if
15 you're going back to --

16 So this is the cost estimate I
17 was just talking about, she was talking about,
18 Meagen was talking about this 8.6. That cost is
19 down here under Alternative 3B, Westfall. That's
20 this 2.6 number. So that's the differential
21 between the two.

22 So the -- the -- the cost you
23 see in Chapter 5 is the whole thing, but then we
24 have it split up into two -- basically two
25 projects, right? The project that's gonna be done

1 from Westfall's standpoint, how they -- you know,
2 what their funding options, alternatives would look
3 like; and the project that's gonna be funded by the
4 Milford Borough Authority -- I shouldn't say
5 borough authority, the Milford Authority.

6 MS. MEAGEN KAMEEN: So, I mean,
7 why would you show the estimated costs broken down
8 --

9 (Dog barking interruption.)

10 (Discussion off the record.)

11 MS. MEAGEN KAMEEN: So I guess
12 I'm just confused, why it would --

13 (Dog barking interruption.)

14 MS. MEAGEN KAMEEN: -- on that
15 chart, why would it not just show the Milford
16 Borough portion of the construction, considering
17 it's titled Cost Options From Milford Borough
18 Alternative 6F?

19 MR. SPATZ: Because in
20 Alternative 6F -- Alternative 6F is the entire
21 route. It -- they all line up with these maps. So
22 when you look at this map, what defines Alternative
23 6F is what's on this map. It's a proposed low
24 pressure main, shows from here all the way out to
25 here. So that's what the cost is showing. Then if

1 you -- so that's what this cost is reflecting.

2 However, the funding aspect of
3 the -- of the summary is -- I can see -- we kinda
4 broke it down here. It's -- I can see your
5 confusion. That's a good point. We should
6 probably clarify that a little bit more but I --

7 MS. MEAGEN KAMEEN: Sorry to
8 cut you off. It makes it appear as though not
9 everything is gonna be covered under some sort of
10 financing.

11 Okay. So my next question is,
12 how much money by the -- needs to be spent by the
13 borough until the borough knows if they are going
14 to be able to get grants at all? So I assume
15 there's some engineering costs or something, fees
16 that have to go into the next planning portion. So
17 how much money is going to need to be spent before
18 the borough knows if they're even gonna get grants?

19 MR. SPATZ: So many times the
20 authority would take on the role of actively
21 seeking grants, but it could be the borough as
22 well. It doesn't really matter which entity. Many
23 times the cost for larger grant programs like
24 PENNVEST or USDA is rolled into the financing. So
25 those engineering numbers that you see in the

1 estimates, that takes into account the effort it
2 takes to acquire a grant and then that, again, is
3 in the estimate, so it's rolled into the financing.
4 So it's reflected in these costs per month, per EDU
5 numbers right here.

6 MS. MEAGEN KAMEEN: Okay.

7 MR. SPATZ: If that makes some
8 sense.

9 MS. MEAGEN KAMEEN: It does
10 make sense except for the fact that in the
11 assumption like -- that makes the assumption that
12 the borough is definitely moving forward. What
13 happens in the case where they don't get the 75
14 percent of grants that they're hoping and then they
15 decide not to move forward with the project? How
16 much money could the borough be in line to have to
17 pay in a situation like that?

18 MR. SPATZ: Yeah, I mean, so
19 that's definitely a variable cost. It really
20 depends on a number of factors. So I don't know if
21 I can ascertain a precise number on that, but,
22 yeah, that -- that could be possible, if you spend
23 a lot of money trying to get financing that doesn't
24 come to fruition or you change direction, then, you
25 know, you wouldn't have a -- you wouldn't be --

1 have a financing mechanism to build that into -- to
2 recoup that cost.

3 MS. MEAGEN KAMEEN: Okay.

4 MR. SPATZ: That's -- that's a
5 thing.

6 MR. TARQUINIO: One of the --
7 one of the things, Meagen, is, the county has
8 offered to use their planning to seek the grants
9 for us, so that takes the burden of us having to
10 hire a grant writer, what the -- they -- they've
11 offered the same to Matamoras, I think, you know.
12 And they -- they have very great success. So
13 hopefully if we use them, there won't be any cost
14 in seeking the grants. Is that -- I think that's
15 what you're asking, will we incur us cost by hiring
16 people to pursue them.

17 MS. MEAGEN KAMEEN: Yes. Yeah.
18 Okay.

19 And then another question is, so
20 it's semi unclear to some people exactly what's
21 being voted on, in this plan because it's been said
22 that even if they pass -- they vote yes on this, it
23 doesn't automatically assume that sewer -- the
24 sewer project will go through in the end. So my
25 question is, what is the point of no return? Like

1 what is the step at which there's no going back on
2 this project?

3 MR. SPATZ: So it's a -- what
4 is the point -- so after the plan is -- I -- I -- I
5 guess I'm trying to understand the question. At
6 any given point can the borough change its mind?

7 MS. MEAGEN KAMEEN: Yeah, so,
8 you know, the borough in some of the conversations
9 that have gone on have said that there's a lot of
10 contingencies that they would need to see in place
11 in order to make the project viable in their eyes,
12 and one of them being 70 -- up to 75 percent in
13 grants; another one was tapping fees covered by
14 grants. There's just (inaudible). So, you know,
15 there's the -- the current council will most likely
16 not be in place when this project starts to come
17 closer to construction.

18 So is there a point at which, if
19 these things aren't happening, the borough can
20 stop; and is there a point at which, if these
21 things aren't happening, the borough can't stop
22 because the project has moved so far along that you
23 -- does have to keep going with completion?

24 MR. SPATZ: Yeah. So the only
25 entity that would be -- the borough's really go --

1 once you have a plan in place, that's the first
2 step. How aggressive you are with completing the
3 plan, just like a comprehensive plan, is really
4 gonna be up to the current borough council that's,
5 you know -- that's in the seat. So I could -- I
6 could speed up and slow down and you don't like --
7 that's just how things work.

8 DEP ultimately, once the plan
9 is, you know, reviewed and approved, they will
10 generally keep track -- if there was a lot of
11 documented failures along the route, which we
12 talked about there's not, but if there was, DEP
13 would want to see those get addressed, 'cause it's
14 a health, safety and welfare issue. With that,
15 with there not being a lot of failures, I don't
16 anticipate DEP having a heavy hand on it, but, you
17 know, I can't -- I'm not DEP. These are just some
18 exper -- some professional experiences with stuff.

19 So it -- it's largely gonna be
20 at the throttle, I would say, of the council and/or
21 the authority, if the -- if the council han -- you
22 know, hands off the torch to the authority, which
23 many times that's the case, then the authority
24 starts to move forward with -- with stuff and
25 trying to get the job done. Authorities are -- are

1 very much, you know, entities, you know, tasked by
2 municipalities to do a certain thing and they do
3 their best to do that thing.

4 So if the council tasks the
5 authority to, hey, you know, get this plan
6 implemented, I'm sure the authority will -- will
7 keep take -- taking steady steps to get that done.
8 Again, it's largely gonna be reliant on the
9 financing. That's always the -- I -- I tell people
10 a lot of times, the planning, oddly as it seems, is
11 the easy part. Just like everything else in life,
12 getting the financing together to pay for things,
13 that's the more tricky part. So it takes
14 consistent effort to get that done.

15 I don't know if that addresses
16 your question, but it's really gonna be at the
17 control of the -- of the elected officials and the
18 authority --

19 MS. MEAGEN KAMEEN: Okay.

20 MR. SPATZ: -- who's tasked
21 with what.

22 MR. TARQUINIO: I think if we
23 could --

24 MS. MEAGEN KAMEEN: Can I ask
25 one more question?

1 MR. TARQUINIO: Sure.

2 MS. MEAGEN KAMEEN: Okay. In
3 the plan which, you know, there was a lot of
4 controversy about the ordinance for monitoring the
5 on-lot systems. So in the plan it says that
6 they'll be monitored by the sewage enforcement
7 officer over the next five years; but then in the
8 plan, in that five to ten years span, it does say
9 that the ordinance would be passed.

10 So there's not really any
11 guidance as to what level of failures or what level
12 of activity would need to happen within that five
13 years that the -- the passing of the ordinance
14 would be recommended at that point. It just sort
15 of says that it'll be monitored and then passed.

16 MR. TARQUINIO: No, I believe
17 it doesn't say it would just be passed. It'll say,
18 based on the results of the five years of
19 monitoring, we will add -- we have ordinances now
20 about on-lot systems. And I believe it says, if
21 the five years of monitoring shows that there's
22 increased failures, then at that point we'll add
23 more ordinances.

24 MS. MEAGEN KAMEEN: Okay. So I
25 guess -- so then my question is, what -- what are

1 the bench marks in place, like what levels does it
2 need to -- to be failures at, in that time span?
3 Like I feel like that needs to be a lot more
4 specific for guidance, for the next group of people
5 who may be handed this document and have to decide
6 what happens in that five year span.

7 MR. TARQUINIO: I think that
8 will be part of putting the study in place, you
9 know, so --

10 MS. MEAGEN KAMEEN: I don't
11 understand that answer.

12 MR. SPATZ: So -- so let me --
13 let me --

14 MR. TARQUINIO: Go ahead, Mark.

15 MR. SPATZ: Yeah. So it -- it
16 -- it leaves it open to -- you've gotta keep in
17 mind, if there's something very specific in the
18 plan, then DEP might expect something very
19 specific. So, you know, if you leave it at the
20 borough's discretion, then it's at the borough's
21 discretion. So you've got to watch what you wish
22 for, in regard --

23 MS. MEAGEN KAMEEN: I didn't
24 get that, and I totally get that if you're too
25 specific; but the -- the concern of the citizens

1 who are concerned about this is, at the borough's
2 discretion is a very wide range --

3 MR. SPATZ: Well --

4 MS. MEAGEN KAMEEN: -- and it
5 gives no feedback to the -- to the residents as to
6 when and when -- when they can and when they won't
7 do something.

8 MR. SPATZ: Yeah. And I think
9 to some extent, I think we're asking the wrong
10 questions a little bit. There's -- and this is
11 typical, so don't -- don't take it the -- nobody
12 should take this the wrong way.

13 Sometimes communities are way
14 too afraid of their OLDS ordinance, this OLDS
15 ordinance thing. If you love your on-lot system
16 and you want to stay on your on-lot system, an OLDS
17 ordinance helps you do that. That's why DEP likes
18 to see them in place. We typically will get people
19 that will brag to us, that I've had this on-lot
20 system and I haven't pumped in 50 years.

21 And I say to them, that's not a
22 good thing, buddy, you better get this pumped
23 because if you don't, it's likely gonna fail. And
24 if it fails, now what are you going to do?

25 So the ODLs ordinance is there

1 to promote the health of on-lot systems, not
2 deteriorate it.

3 (Cough interruption.)

4 MR. SPATZ: -- department who
5 cares first and foremost about the environment is,
6 they are to, you know, provide guidance that
7 communities should adopt one of these OLDS
8 ordinances. The OLDS ordinance -- the primary
9 thing that it does is, it -- it introduces a level
10 that's already hopefully happening, to some extent,
11 of promoting people to pump out their systems on a
12 -- not at the base level, which can be controlled
13 by the municipality, on a three year interval.

14 But if the SEO says, hey, these
15 systems don't need to be pumped out for every ten
16 years, fine, make the ordinance say ten years, I
17 mean, you're the expert. That's the S -- that's
18 what the SEO is there for.

19 MS. MEAGEN KAMEEN: Perfect.

20 MR. SPATZ: So it's -- I guess
21 that's the -- I guess that's the -- you know, we
22 can look at -- I guess the question or comment is,
23 some more specificity on the monitoring period, so
24 I would address that; but I -- I -- I just want to
25 get some clarity out on the OLDS ordinance.

1 MS. MEAGEN KAMEEN: Okay.

2 Perfect. Thank you so much.

3 MS. DIGESO: Andrew -- Andrew
4 Jorgenson.

5 Sorry, Frank, go ahead.

6 MR. TARQUINIO: Yeah, no.

7 Andrew, could you state your
8 name and full address?

9 MR. ANDREW JORGENSON: Andrew
10 Jorgenson, 308 West Catharine, 101 East Harford. I
11 got a couple of different addresses in the borough.

12 THE REPORTER: Could you spell
13 your first and last name for the record, please?

14 MR. ANDREW JORGENSON:
15 A-N-D-R-E-W J-O-R-G-E-N-S-O-N.

16 (Brief interruption by the
17 reporter due to poor internet interception.)

18 MR. ANDREW JORGENSON: So I --
19 we've been -- we've been in the area actually for
20 19 years, okay? We've owned the Dimmick Inn for 13
21 years. When we first came up, we owned a deli for
22 about 11 years, if I'm not mistaken, all right?
23 It's been the same problem since we came here.

24 So I guess the question is, when
25 does it change? I mean, we're speaking to people

1 now that don't live in the borough, whatever it
2 might be, I get it. But it's always the same
3 situation, so how does it change?

4 To change is this, I spent \$700
5 -- I spend \$700 a month to pump my septic, okay? I
6 think we talked about this before, if I'm not
7 mistaken. So times 50 -- that's \$36,000 a year.
8 In our industry right now, that's probably about
9 one and a half employees I can hire, okay? So as
10 of now, business is horrible, not only from the
11 COVID but also from my other expenses. So where do
12 we go with this? I understand people within town,
13 within their homes and everything else, but I want
14 to speak of my home as well, okay?

15 I just had to have my septic
16 pumped -- I'm sorry, my cess field, whatever you
17 might call it, just pumped yesterday, and they
18 said, you know what, it failed. So I had video of
19 it and everything to show you. M&S Septic came
20 down and said, you have to replace it. So where do
21 I live from the Dimmick? I live about maybe three
22 and a half blocks. It's inevitable, it's gonna
23 come, infrastructure, we need it, okay? I don't
24 know why we're fighting this. All right?

25 So without -- without businesses

1 in town, we're never gonna succeed, your taxes are
2 gonna go up, okay? Eventually what happens within
3 the town, we fail as neighbors, okay? We have
4 people that come in, and I'm not naming people, we
5 have people that come in that buy it low and try to
6 sell high. It's not gonna work. It's gonna fail.
7 So if we don't get this as a community, it's never
8 gonna work for the commercial district. So what do
9 we do?

10 That's it.

11 MR. TARQUINIO: Thank you,
12 Andrew.

13 MR. ANDREW JORGENSEN: And I
14 think anybody that lives in the community should
15 realize that. And it's only been people in the
16 community that's moved here within the last two to
17 three years, they don't get it. It's happening.
18 There's a lot of things happening.

19 That's it.

20 MR. TARQUINIO: I think -- just
21 partially to answer you, I think the reality is, I
22 realize everyone loves the historic nature of the
23 borough. The population in Pike County is over
24 double what it was in 1960, 1970. And hopefully
25 that means that restaurants and businesses will do

1 better; but that also means the infrastructure has
2 to grow, and I think it might be -- by the time
3 we're done with the pandemic, there might be a
4 hundred thousand people.

5 MR. ANDREW JORGENSEN:

6 Absolutely, 'cause they're moving up, Frank.
7 Everybody's moving here, whether you like it or
8 not. They might be coming from New York City, New
9 Jersey, Rhode Island, whatever it might be, I meet
10 different people every day, and tell me they've
11 come here for the small town community. But guess
12 what? Sometimes you gotta put something into it to
13 get something out of it, you know? It's not gonna
14 last. It's not gonna last.

15 I mean, (inaudible) because I'll
16 tell you the truth, probably in February, we might
17 have to do something with the Dimmick if this
18 doesn't happen, if I don't hear something positive.
19 And, you know what, it is what it is.

20 MR. TARQUINIO: Thank you,
21 Andrew.

22 Do we have somebody else who
23 would like to speak?

24 MS. DIGESO: No. No.

25 MR. MAGNOTTA: I think Bill

1 raised his hand.

2 MR. TARQUINIO: Bill would like
3 to speak?

4 Bill?

5 Bill Kiger would like to speak.

6 MS. DIGESO: Yep.

7 MR. TARQUINIO: Bill, we can't
8 hear you, you're muted. Just give a minute. Yeah.

9 (Discussion off the record.)

10 MR. BILL KIGER: Thank you.

11 And thank you, Peter (sic), for
12 that review.

13 THE REPORTER: Excuse me. Sir,
14 excuse me? Can you please state your first and
15 last name?

16 MR. BILL KIGER: Yeah, Bill
17 Kiger, K-I-G-E-R.

18 THE REPORTER: Thank you.

19 MR. TARQUINIO: And your
20 address, Bill?

21 MR. BILL KIGER: You need my
22 address?

23 MR. TARQUINIO: Yes.

24 MR. BILL KIGER: 600 Seventh
25 Street.

1 THE REPORTER: Okay. Thank
2 you.

3 MR. BILL KIGER: For Peter,
4 regarding the EDU's, will the property owners along
5 the line get a model cost for their property before
6 the borough takes a vote?

7 MR. TARQUINIO: I think he
8 meant you, Mark.

9 MR. BILL KIGER: Mark, sorry.
10 Mark.

11 MR. SPATZ: Yeah, no, that's
12 typically not something that we would do. You
13 know, that -- you can -- you can do it fairly
14 easily in the plan itself, if you go to this
15 Appendix E -- no, wait, sorry. If you go --

16 Can you guys see my screen?

17 MR. MAGNOTTA: Yes, Mark.

18 MR. SPATZ: If you go to
19 Appendix E, you can look at your property, if it's
20 200 gallons a day, that's one EDU. If it's
21 multiple, you take (inaudible) number, divide it by
22 200 and then multiply that by the -- the projected
23 rate. Now, obviously if the project gets more
24 grant financing like the borough is committed to,
25 that number would be less than what's shown in the

1 plan.

2 MR. BILL KIGER: Mark, most of
3 the properties along the line have a dual use; a
4 business and apartment. Is that still gonna be
5 based on gallons and is it likely that they'll be
6 two EDU's?

7 MR. TARQUINIO: I think, Mark,
8 I could answer that.

9 Bill, I've looked at all the
10 individual ones, Bill. There's a hundred and
11 twenty of the units -- of the properties are billed
12 at one and many of them are with multiple mixed use
13 like in -- you mean like a store in the first floor
14 and apartment above it?

15 MR. BILL KIGER: Right.

16 MR. TARQUINIO: It really is
17 based upon how the people have water installed.

18 MR. BILL KIGER: It's water,
19 okay.

20 MR. TARQUINIO: -- installed,
21 (inaudible) system to the apartment above separate,
22 then there are two EDU's. Most of the properties,
23 they're renting an apartment above it, but they are
24 one EDU, you know, for the whole property.

25 MR. BILL KIGER: Thanks, Frank.

1 One other question. Mark, on
2 your map, are the red lines absolute? Because I
3 notice for Blackberry, you come in at George and
4 you missed some commercial properties. Also, when
5 you intersect with Harford on both alleys, it
6 doesn't show a red line, say, for instance, for the
7 Dimmick.

8 MR. SPATZ: Yeah. So they're
9 -- they're not absolute. These are the general
10 routes, you know, we're -- this is from a thousand
11 foot level. A lot of cases, if there's -- needs,
12 you know, for routing, to get -- to capture
13 specific properties, that -- that would just be a,
14 you know -- again, we're pretty small lines to get
15 to the main. Those would just be specific lines.

16 Basically the way to think about
17 it is, these are the mains, but we don't show the
18 laterals. And the laterals define from the
19 building, from the grinder pump to the main. So
20 we're showing the mains on here, but we don't show
21 the laterals, and sometimes those laterals are
22 short, sometimes those laterals can be longer.

23 So the assumpt -- the best way to
24 see, you know -- well, that's great, but what
25 properties are you assuming gonna connect, that,

1 again, going back to this Appendix E, that lists
2 all the properties right here.

3 MR. BILL KIGER: Good. Thank
4 you.

5 MR. TARQUINIO: Does somebody
6 else have questions or comments?

7 MS. DIGESO: Yep. Jon Kameen
8 also has a question.

9 MR. TARQUINIO: Jon?

10 MR. JON KAMEEN: Jon Kameen,
11 K-A-M-E-E-N, is the last name. The address is 110
12 Rimrock Court, Milford, PA, not currently a borough
13 resident.

14 THE REPORTER: And do you spell
15 Jon, J-O-N, that I see --

16 MR. JON KAMEEN: Yes, no H.

17 THE REPORTER: Thank you.

18 MR. JON KAMEEN: I have a
19 question for Mr. Spatz.

20 Is it possible for you to bring
21 up that map that you showed earlier, that showed
22 the surveys of the borough?

23 MR. SPATZ: Yep.

24 MR. JON KAMEEN: I just had a
25 question on some of the failures and then I'm also

1 -- kinda cross-reference this map with, I believe
2 Appendix F, is where you said this came from or was
3 it I?

4 MR. SPATZ: This one?

5 MR. JON KAMEEN: Nope. No, you
6 had it up earlier.

7 MR. SPATZ: Yeah, this one.

8 MR. JON KAMEEN: That one,
9 correct.

10 So I see if we look -- I believe
11 it's No. 375, is a confirmed failure, that red dot,
12 is that correct?

13 MR. SPATZ: Correct.

14 MR. JON KAMEEN: And the line
15 will not pass by that property which adjoins the
16 Sawkill Creek, correct?

17 MR. SPATZ: Correct.

18 MR. JON KAMEEN: So what would
19 be done in the case of a confirmed failure where
20 there is not a plan to put a sewer line in place?

21 MR. SPATZ: The expectation
22 from the department is that the SEO will work with
23 the property owner to address the failure and then
24 that can be through mitigation on-site; and/or if
25 the property owner needs to connect to the public

1 sewer, if we have a public sewer available, then
2 they can run along lateral or something of that
3 nature. But ultimately the confirmed failures
4 outside of the public sewer area, they -- those can
5 be addressed other ways. You know, maybe they can
6 be addressed on-site.

7 And that's, again, the SEO does
8 that on a routine basis right now. I'm sure they
9 -- he has confirmed failures in his history and I'm
10 sure he's worked with property owners to -- to
11 resolve them. So hopefully --

12 MR. JON KAMEEN: Have these
13 confirmed failures been communicated to the SEO?

14 MR. SPATZ: They've been -- not
15 -- I mean, they're in the plan, out for public
16 comment, the -- the borough. We haven't
17 specifically sat down with the SEO to meet with
18 them in regard to this yet, but, no, it hasn't been
19 -- like yes and no. It's available --

20 MR. JON KAMEEN: Have you
21 included the SEO in this process or is it just up
22 to him to find this stuff on the internet, on his
23 own?

24 MR. SPATZ: No, he's been at
25 the stakeholders groups last bunch -- this was

1 pre-COVID, like in the -- I think from like October
2 to January, I believe, he was at the stakeholders
3 meetings.

4 MR. JON KAMEEN: Okay. And
5 then when I cross-referenced this to the appendix,
6 it appears as though Saint Patrick's Church has a
7 confirmed failure as well, but it's not listed on
8 this map, is that correct?

9 MR. SPATZ: I'd have to look
10 that -- I have to -- I don't know specifically. We
11 can look into that. That's a good comment.

12 MR. JON KAMEEN: Yeah. Another
13 question is, it would appear as though one of these
14 properties that has a confirmed failure just sold,
15 the property. Was that septic remedied for the new
16 owner?

17 MR. TARQUINIO: Can I get --
18 Mark, I want -- I want to just add.

19 Jon, if failing means that
20 there's water on the -- for the most part, there's
21 surface water, green spots, sometimes it just means
22 -- the failure means it has to be pumped first, and
23 that pumping might cure the problem. So I think --

24 MR. SPATZ: Exactly.

25 MR. TARQUINIO: -- somebody

1 speaking earlier, sometimes you pump it and there's
2 no problem; other times you pump it and you say
3 it's a failure but, you know --

4 MR. JON KAMEEN: So it's --
5 it's possible that these failures are simply a lack
6 of maintenance, not a systemic problem with the
7 system?

8 MR. TARQUINIO: That correct.

9 MR. SPATZ: Yeah, and we didn't
10 -- and I -- hopefully I was clear before, we didn't
11 find a systemic problem across the borough. You
12 can see there's -- I mean, there's red dots, but
13 there's not -- yeah.

14 MR. JON KAMEEN: If it seems --
15 so it just seems to me that there's not a lot of
16 failures, which is what the executive summary says
17 as well.

18 MR. SPATZ: Yeah, yeah. That's
19 a good thing because if there was a lot of
20 failures, we wouldn't be talking about options and
21 choices. We'd be talking about the DEP saying you
22 guys need public sewer, move it forward now, and
23 they would be not so -- they would be not so --
24 honestly a -- the -- the rates that we're looking
25 at, that is well within the affordability of most

1 areas, at least from the DEP's perspective. So
2 they would be pushing harder on it.

3 This leaves a lot of options
4 open for the borough. DEP will review the plans
5 and so on and so forth, but they're not gonna be --
6 you don't have this massive health, safety issue
7 that -- that the DEP's gonna be -- you know, kinda
8 hanging over you.

9 So it's -- again, it's the watch
10 what you wish for thing, it's -- you know,
11 sometimes people say, well, if we don't -- you
12 know, why are we doing this, and we talked about,
13 there's other reasoning, you know, within the
14 commercial areas that although you might not have a
15 failure now, if you do in the future and if you
16 don't have public sewer -- public sewer takes
17 years, as you can see, to get addressed and get
18 through.

19 So I liken this to people
20 planting a tree. If you want a tree in your
21 backyard, you better plant it now because if you
22 want it in ten years from now, it's -- if you
23 didn't plant it ten years ago, it's never gonna
24 happen. So that's what 537 planning is, you gotta
25 first start with a plan. It doesn't mean it --

1 tomorrow, but if you don't take this step, it
2 really hampers you.

3 And then if you do get
4 commercial failures that can't be remedied, what
5 are they gonna do? They're -- they are really in a
6 tight -- in a tight way, which could be devastating
7 to an individual house, commercial and/or to the
8 borough. Milf -- Matamoras still feels the sting
9 of having to condemn a few properties over the last
10 decade because of sewer issues. And you can tell
11 when the council -- the previous council members
12 talk about it. They (inaudible) up a little bit.
13 It's not easy.

14 And that's what I -- I believe
15 the borough wants to not happen here. They don't
16 -- they wanna have a plan in place so we don't get
17 into that scenario. That's my take on it.

18 MR. JON KAMEEN: Understood. I
19 have one other simple question is, during this
20 process, did Pennsylvania allow some alternative
21 systems that allow higher processing capacity on
22 the same number of square foot -- I think it's
23 being used in Colorado and California -- with peat
24 moss and coconut shells and those systems? Has the
25 537 Plan examined the possibility of the systems in

1 the borough that have failed, what if they were to
2 implement that technology?

3 MR. SPATZ: So an individual
4 property owner can implement whatever on-site
5 system they would like, it's at their cost. So if
6 they have an in-ground system that's failed and
7 they need to use some sort of other system or wanna
8 try an alternative system, they're more than
9 welcome to do that. On a community basis, DEP is
10 highly skeptical of -- of certain systems like the
11 peat moss or something, they're very new. Spray
12 irrigation is a system that's an alternative,
13 that's a land -- but that's a land application
14 process, it's not really a treatment system.
15 That's a land application just for the effluent,
16 like after you treat it.

17 We've touched on that in the one
18 appendix here, spray irrigation specifically,
19 'cause that is an accepted application --

20 MR. JON KAMEEN: Did
21 Pennsylvania allow these -- these systems that I'm
22 referring to, the coconut and the peat, they were
23 not permitted in Pennsylvania when the 537 Plan
24 began; however, at some point through this process
25 they were approved to be used, is that correct?

1 MR. SPATZ: I don't know, you
2 tell me, sounds like you already checked. That's
3 -- and that's -- we evaluated the spray irrigation
4 alternative and any other alternative we've taken a
5 look at from a conceptual standpoint, at the end of
6 the day, it would at least double or trip the cost
7 that we're looking at now. You'd need the same
8 conveyance system and then you'd need a site.

9 So you have to pay for the site.
10 Then you'd need a treatment process plant built for
11 millions of dollars, then you'd need -- and the
12 ongoing costs that really gets you is to staff it.
13 So now you need a staff person there, one or two
14 people; and if you know a business, employee cost
15 is expensive.

16 So it's -- it was reviewed and
17 briefly touched on in the plan, talked about how
18 the cost would be much more, and then we moved on
19 to -- you know, if you have a local wastewater
20 treatment plant that you connect -- you can connect
21 into, that's gonna be your most feasible
22 alternative from a cost to -- you know, at the end
23 of the day, trying to find -- get the job done for
24 the least amount of cost, and that's where we
25 really try to focus our effort.

1 MR. JON KAMEEN: Okay. Thank
2 you.

3 MS. DIGESO: Dakota Hendricks
4 has a question.

5 MR. TARQUINIO: Dakota, could
6 you state your full name and your address?

7 MR. DAKOTA HENDRICKS: Dakota
8 Hendricks, 162 Pine Acres, Milford, PA, Milford
9 Township resident, I'm out of borough.

10 My question --

11 THE REPORTER: Wait, excuse me,
12 Dakota, could you spell your first and last name,
13 please, on the record.

14 MR. DAKOTA HENDRICKS:
15 D-A-K-O-T-A H-E-N-D-R-I-C-K-S.

16 THE REPORTER: Thank you.

17 MR. DAKOTA HENDRICKS: Mark, I
18 spoke to a builder who had concerns of the plan,
19 specifically about the grinder pumps and pumps on
20 longevity. Could you talk a little bit more about
21 what you might expect from this community for the
22 grinder pump life span and costs?

23 MR. SPATZ: Yeah, so grinder
24 pump, what we generally conceptualize around is
25 like an E/One grinder pump. And there're studies

1 out there you can look at in regard to. So E/One
2 has -- has studied this themselves, because grinder
3 pumps have honestly come a long way in the last 10
4 to 15 years. A lot of the -- and that's -- of
5 course that's why E/One has done independent
6 studies of this, you know, for its communities, you
7 know, hired independent consultants to take a look
8 at this stuff.

9 So generally on a grinder pump,
10 obviously the wet well itself, it's a plas -- it
11 looks like a cor -- it looks like a -- did you ever
12 see those black corrugated pipes, looks like that.
13 Gets put in the ground. You know, they -- they
14 will last, you know, decades, you know. There's
15 really no direct way that those deteriorate. You
16 know, they're plastic.

17 Plas -- as we know, plastic in
18 the ground lasts forever. You know, obviously they
19 don't last forever. Everything has a -- they don't
20 -- they won't last 4 billion years, so they do have
21 a lifespan; but they're projected lifespan
22 generally for a corrugated plastic pipe is over a
23 hundred years in the ground. Usually a corrugated
24 plastic pipe only wears because it's used for like
25 storm water and then it just wears on the bottom.

1 So the structure itself will last a very long time.

2 The mechanical components within
3 it, in this study, were found to have last 15 to 25
4 years, in that range. And then when you're getting
5 a, you know, pump that needs repair, it's -- it's
6 -- you know, it's very similar to your car. You
7 know, if your car has a breakdown, obviously if
8 it's really old, you know, you might replace the
9 car. But obvi -- you have 50,000 miles on the car
10 or 80,000 miles on a car that has a breakdown, you
11 just don't throw away the entire car. Even if you
12 do, you get a trade-in value; but you -- you fix
13 it, you know, and the same thing with these pumps.
14 So you can -- depends on what it is. Sometimes it
15 could be a float, could be the pump itself.

16 E/One has a -- a repair program,
17 we're able to come out and assess the scenario and
18 then repair the pump. Of course, cost is gonna
19 vary. Could be 50 bucks, could be, you know,
20 couple hundred dollars, could be a thousand
21 dollars; but it's not gonna be replacing the entire
22 pump and it's definitely not gonna be replacing the
23 entire unit.

24 So that -- I think -- does that
25 address the question?

1 MR. DAKOTA HENDRICKS: I
2 believe so. The builder I was speaking to you
3 specifically said that the diameter of pipe going
4 into the grinder pump and the line of the main
5 would cause more stress on that grinder pump; but I
6 think you -- you've -- you talked about that.

7 MR. SPATZ: Yes. So in regard
8 to the -- the pumping, so there's an important
9 thing with this. You can install junkie grinder
10 pumps. So it's our -- it's my job -- you know, I'm
11 not necessarily gonna be involved in this, but it
12 will be the engineer's job, whenever it's going to
13 selection of the pumps, to make sure it's a quality
14 product. So E/One is a quality product. There's
15 other grinder pump manufacturers that can be
16 evaluated as well.

17 The -- so depending on the
18 builder's experiences with stuff -- you know, I --
19 I live in a house that was built and a lot of times
20 they'll put in, if they're not specified, the
21 cheapest grinder pump they can find. And then when
22 property owners have an issue, it's like, well,
23 because your builder put in the cheapest grinder
24 pump they could find. The borough is not a
25 builder. The authority is not a builder. They

1 have no vested interest into putting the cheapest
2 thing they can find in the ground for residents.
3 The -- the economics just don't work the same. So
4 they wanna put in a quality product.

5 The pressure these -- these
6 specific pumps use positive displacement, imagine
7 like a screw, when they start, it's just like a
8 screw (inaudible); so they pump up fairly slow, and
9 that's -- that's a -- a good thing from an
10 engineering standpoint for a lot of reasons. It
11 doesn't put those pressures on the lines. It
12 allows more flexibility for the longevity of the
13 system, things of that nature.

14 So they pump -- they pump
15 slower, which is good, because, honestly, 200
16 gallons per day is not a lot of flow. And even
17 though the commercials that are in this study, you
18 know, it seems like a lot of flow, but those aren't
19 a lot of flow. 50,000 gallons a day, that's a lot
20 of flow. So those are different things. We're
21 usually talking like 200 to 3,000 gallons a day,
22 it's really not that much for these. This will be
23 a good alternative.

24 MR. DAKOTA HENDRICKS: Okay.
25 Thank you.

1 MS. DIGESO: Mr. Hogan has a
2 question.

3 MR. THOMAS HOGAN: Question,
4 maybe comment.

5 MR. TARQUINIO: Tom, could you
6 just state your full name and address for Tammy?

7 MR. THOMAS HOGAN: Thomas
8 Hogan, 302 East Harford Street is my business
9 establishment since 1992.

10 (Brief interruption by the
11 reporter for clarification on spelling of name.)

12 MR. THOMAS HOGAN: I've been a
13 resident in Pike County, came here to Milford in
14 1963 and I established a business in Milford in
15 1992, on Harford Street. And I don't want anybody
16 to take this the wrong way, but if you think it
17 through, if those people -- at the time there were
18 fewer than 10,000 people, when I got here, in the
19 county. Now there's over 55,000, and of course
20 that has an effect on Milford as well.

21 But if those people here had
22 regulations that no more people were gonna come
23 into the town, then I wouldn't be here and many of
24 you might not be here. So I just think you might
25 wanna consider that as -- as a resident here. My

1 system works extremely well, but I think the most
2 important thing is to realize that -- I see there's
3 Johnson (phonetic) Lawyers and builders and
4 restaurateurs here. I -- I would imagine that
5 most of us have taken some time to visit those
6 establishments at different times and enjoyed them.

7 Now, if those people want to
8 fully utilize the property that they have,
9 essential sewage system would allow them to do
10 that, to the fullest extent of what the percentage
11 is allowed.

12 Thank you.

13 MR. TARQUINIO: Thank you, Tom.
14 Is there somebody else?

15 MS. DIGESO: I have a couple
16 people who have already spoken but wanted to add an
17 additional comment, so if I can take them in the
18 order that I received them.

19 MR. TARQUINIO: That's fine.

20 MS. DIGESO: So back to Fred
21 Weber.

22 MR. TARQUINIO: Fred?

23 MS. DIGESO: Let me just unmute
24 him.

25 (Discussion off the record.)

1 MR. FRED WEBER: Fred Weber of
2 Milford Borough, 315 West Ann Street, and a
3 resident.

4 Okay. So back to the capacity.
5 You mentioned the capacity of Westfall as 330,000
6 gallons per day. That is what is currently passed
7 or allowed by DRBC. So they're doing about 67,000
8 gallons a day. We add probably 70,000 gallons a
9 day, so that's still at half capacity. The
10 physical plant capacity is actually 777,000 gallons
11 per day, because initially, they have permission
12 from DRBC to go to 852,000, I think, but then that
13 plan fell apart.

14 So physically that -- that plant
15 is able to expand.

16 MR. SPATZ: It would have to
17 expand with two more SPR reactors, so not at the
18 current configuration. They would have to expand
19 -- I think to take it up to 800,000 gallons a day,
20 we were looking at a \$10 million project cost. So
21 that's why the borough, that's why Westfall
22 addressed it in the courts another way for that.
23 They were being required to do that, I'm sure --

24 MR. FRED WEBER: We actually
25 toured the place and the gentleman, who has since

1 retired, Bill -- and I've forgotten his last name
2 -- said that their capacity was 777,000 or have it
3 in the Right To Know, but that's nei -- neither
4 here nor there. The -- the idea is that they can
5 expand this easily, they don't need a new
6 footprint, they can do it on the existing
7 footprint.

8 In several meetings you had
9 mentioned that -- that with any commercial district
10 it will be a mandatory connect because --

11 (Brief interruption by the
12 reporter for clarification on word.)

13 MR. FRED WEBER: -- because
14 your statement, which you made twice, was that --
15 at least twice, you will never get funding unless
16 everyone is mandated to connect in the commercial
17 district. Now, the -- some of the information
18 coming back from the council, on their frequently
19 asked questions on the website, is that properties
20 may be exempt depending on the funding, which one's
21 right?

22 MR. SPATZ: So the -- the -- to
23 address the 700 some odd thousand, if the plant
24 capacity is 375,000 gallons a day, they would need
25 substantial capital improvements to increase the

1 capacity at all. It's not -- it may not need to
2 buy more property, but they would need more SPR
3 reactors and things like that.

4 MR. FRED WEBER: Okay.

5 MR. SPATZ: I just want to
6 address that.

7 For the mandatory connection, it
8 is really -- at the end of the day, you need people
9 to connect to the line. You can't build a
10 multimillion dollar line and just hope people
11 connect. It doesn't work -- it's like --

12 MR. FRED WEBER: -- your
13 statement true that it's mandatory --

14 MR. SPATZ: Well, so --

15 (Brief interruption by the
16 reporter due to Mr. Spatz and Mr. Fred Weber
17 speaking over one another.)

18 MR. SPATZ: So there's --
19 there's options there, but ultimately neither --
20 needs to be enough -- the Act 537 Plan assumes a
21 number of connections that directly relates to the
22 financing that you see presented in the plan. If
23 there's less connections, then that's gonna adjust
24 the financing. So right now everybody along the
25 route is assumed to be an immediate connection

1 through a mandatory connection ordinance, but if
2 there's -- you know, there's some flexibility from
3 the council there, that if they wanted to make it
4 -- some exemptions, they can do that.

5 I think we've touched on that a
6 little bit. And some of the exemptions that were
7 talked about really just didn't -- were negligible
8 and affect to the financing, but it's something
9 we're gonna tighten up, you know, as -- as -- this
10 is a draft plan, you know. We're gonna tighten up
11 through the public comment period here (inaudible).

12 MR. TARQUINIO: The other --
13 Fred, I think it's important to note like in
14 Westfall, they have always done optional hookup,
15 with incentive to do it, but it was because of the
16 loans they were getting, they were willing, you
17 know -- the mandatory, requiring everyone is mostly
18 the type of loan you get and, you know -- but, yes,
19 we -- we have to be able to maintain and pay for it
20 so there will be -- but there are -- there are
21 exceptions that you can do, small exceptions.

22 They're always (inaudible)
23 people, if somebody else wants to hook up, they
24 would take some of that same EDU capacity, but
25 there are people who have asked, that said they

1 were willing to pay to have the pipe extended half
2 a block to them and that could substitute for
3 somebody who doesn't want it. But that's not en
4 masse. En masse, we're going to have to hook up,
5 Fred.

6 MR. FRED WEBER: That gets back
7 to my original question, Mr. Spatz's statement on
8 several occasions, you will never get the funding
9 unless everyone is mandated to pay. So in order to
10 get the funding you need, you first have to have a
11 buy-in at -- at these agencies, that everyone is
12 mandated to connect. Is that a true statement?

13 MR. SPATZ: There will --
14 there'll be an expectation of a mandatory
15 connection ordinance. Westfall right now is
16 considering a mandatory connection ordinance for
17 their route, that only new commercial along the
18 route will need to connect.

19 So it's not -- it's not
20 necessarily draconian in saying mandatory
21 connection means everybody. It's -- but it is
22 mandat -- mandatory for something and it could be
23 for all commercials, you know, no residentials. It
24 could be all commercials on certain routes. So
25 it's -- there'll need to be something to assure the

1 financing agencies that people are gonna connect
2 because they're not gonna give any portions of
3 grants or loans without having some assurance that
4 the authority or borough will be able to pay it,
5 will be able to pay it back.

6 It's just like -- just think of
7 them like a bank, the bank's gonna wanna know. And
8 our bank, they're public financing, it's different,
9 but they kinda operate -- it's like an authority,
10 they kinda operate like a business.

11 MR. FRED WEBER: Okay. My last
12 quest -- point is that, you know, that there's much
13 debate about grinder pumps, and thank God my wife's
14 not here, she'd shoot me, she's heard enough about
15 that. But, you know, you're saying that 20 years,
16 25 years, it is very easy to Google this stuff and
17 find study after study after study that says 8 to
18 12, and replacement is not cheap.

19 Matter of fact there's a
20 situation right now locally where the grinder pump
21 failed, and my other point on this is, if you're a
22 business owner, I think you need to think about
23 this, if the grinder pump fails, it's not gonna be
24 an hourly -- an hour or a day to -- if it's -- not
25 just fails, it breaks, God forbid, that it's not

1 gonna be an hourly or daily replacement. You could
2 be down for five to seven days. You'd have to make
3 contingency plans on -- there's a situation right
4 now locally where this is taking place.

5 MR. SPATZ: Yeah, so most
6 businesses would have a duplex grinder pump, that
7 you would have two pumps in the pit, not just one.
8 And that if one fails, the -- the other is the
9 fail-over pump to keep things operational. If you
10 would have a catastrophic failure for both pumps for
11 some reason, which is rare, then you, you know, in
12 the -- in an E/One scenario, you literally go out,
13 pull the core, they have the stuff in stock, it
14 could be fixed within a day or two days. I mean,
15 it's -- there's variations in that, but I would not
16 expect --

17 Westfall's main pump station
18 went down and we had it fixed within, you know, a
19 couple days, so it's --

20 MR. FRED WEBER: And then how
21 do homeowners assure their safety? Because one of
22 the by-products here could be potentially hydrogen
23 sulfide. Is there alarm for that? When you smell
24 it, you run out -- run out of the house? But at
25 least you know you don't have COVID, I mean, how

1 does that work?

2 MR. SPATZ: So hyd -- the --
3 the grinder pump's outside, you're not going --

4 MR. FRED WEBER: Okay, I'm
5 sorry, go ahead.

6 MR. SPATZ: Yeah, the grinder
7 pump's outside, so you're not gonna get, you know,
8 contained hydrogen sulfide, you know, any issues.
9 That's not been a thing that I've every heard of.
10 There's traps between the -- and you have the --
11 it's the same thing -- I mean, right now the sewer
12 leaves the home, goes into a pit where it sits
13 there for -- some people say forever, so there's
14 hydrogen sulfide all over that.

15 There's no -- this is gonna make
16 that scenario better, but even in the on-lot
17 systems, there's a trap that, you know -- you see
18 the traps, you have to clean, right? The
19 (inaudible), there's --

20 MR. FRED WEBER: Yeah.

21 MR. SPATZ: -- they catch water
22 in there so -- so air can't get back up through,
23 back into the house.

24 MR. TARQUINIO: The other one,
25 Fred, I was gonna mention for the pumps, the plan

1 would be for the water authority to have two or
2 three extra pumps. And so if a pump needed repair,
3 they would just -- it only takes a couple of hours
4 to swap out a pump, so they would put one in
5 temporarily while the other one is repaired and
6 then swapped, put back in again. So that's the
7 plan to keep people --

8 MR. FRED WEBER: Thank you.

9 MR. TARQUINIO: And Westfall
10 does that now, they have a few extra pumps that
11 they have and, you know, that enables you -- so
12 even if you had to totally rebuild a pump, you can
13 send it off for a week and not have the homeowner
14 out of it.

15 MR. FRED WEBER: Well, I'm
16 thinking of like the restaurants. I mean, you
17 know, you can't go down for --

18 MR. TARQUINIO: They will have
19 two of them. And if they had --

20 MR. FRED WEBER: Yeah.

21 MR. TARQUINIO: -- (inaudible),
22 yeah, (inaudible).

23 MR. FRED WEBER: Okay. Thank
24 you.

25 MR. TARQUINIO: Any -- Laurie,

1 any more question --

2 MS. DIGESO: Yep. Andrew
3 (inaudible) another comment and then next we'll
4 take Connie Nichols.

5 THE REPORTER: Who has another
6 comment, I'm sorry?

7 MR. ANDREW JORGENSEN: Hi,
8 Andrew --

9 MS. DIGESO: Andrew Jorgenson.

10 MR. TARQUINIO: Yes.

11 (Discussion off the record.)

12 MR. TARQUINIO: Go ahead,
13 Andrew.

14 MR. ANDREW JORGENSEN: Just
15 getting back to Jon, J-O-N's statement, I guess, he
16 was saying before, about how many septic systems are
17 failing in the area. Mine is failing, meaning at
18 the Dimmick itself, okay? So I guess the question
19 is, is like, you know, what do we do as business
20 owners, when these septic systems do fail? You know, who
21 do we go to?

22 Do we go to you, Jon?

23 Do we go to Frank? Who do we go
24 to? You know what I mean? So technically I think
25 I have my own answer, it's there, you know, I come

1 to myself.

2 So it's cost us thousands of
3 dollars every year to fix these septic, these
4 leach fields that we call them, okay? They --
5 they're failing. They're failing all over the
6 place, all right. I think before it was, you know,
7 there's not that many failing. No, they're failing
8 all over the place, what's happening.

9 Another question is, I guess in
10 Westfall, do we have any complaints about public
11 sewage coming in? I think there's a lot of
12 compliments on it, but, you know, the -- the
13 commercial district building up over there, am I --
14 am I right on that? I'm not sure, I'm asking, you
15 know? I mean, this is -- this comes back to,
16 really, you know, what are we doing here for the
17 commercial district, that's what it is. I just
18 want an answer on it.

19 MR. SPATZ: Yeah, from the --
20 from the Westfall standpoint, there's not --
21 there's not any opposition, that I'm aware of.

22 MR. ANDREW JORGENSEN: Right,
23 exactly.

24 MR. SPATZ: But they're -- I
25 mean, they've had public sewer for a long time.

1 MR. ANDREW JORGENSEN: Right.
2 You know what, eventually we're gonna have it for a
3 long time. So what comes down with that, meaning
4 that, you know, it's a -- it's a great thing, it's
5 a great idea. I mean, again, infrastructure's
6 everything. We're gonna lose this eventually, just
7 like we lost it, what, 18 years ago, when it was
8 first presented?

9 So get on board, man. I mean,
10 I'm sorry, I speak the truth, that's it.

11 MR. TARQUINIO: I think from
12 the borough's point of view, you know, this is an
13 eight to ten year project. We're already three
14 years into it and we don't even have anything to
15 prove. When we went to the DEP, they said, well,
16 this is the Plan B. The problem is, we can't wait
17 till we have 20 failures to start because it would
18 never --

19 MR. ANDREW JORGENSEN: Right.

20 MR. TARQUINIO: -- (inaudible).
21 So at some point, you know, it's probably -- it
22 probably should've been done a while ago because it
23 gets more expensive every year.

24 MR. ANDREW JORGENSEN: A
25 hundred -- a hundred percent agreed, Frank. I

1 guess -- I guess what we're saying here is, do we
2 wait for everybody else to fail as a business, as
3 homeowners? Because you know what happens after
4 that, it's -- it's inevitable, it's gonna happen.

5 MR. COONEY: Frank, can I ask
6 one question or --

7 Mark, is Westfall mandated to
8 have -- and I realize --

9 MR. TARQUINIO: Tammy, do you
10 need all Pete's information or do you have it
11 already?

12 THE REPORTER: Oh, he's part of
13 the board, but I got who's talking now, yes, thank
14 you.

15 MR. COONEY: Thank you.

16 Mark, I realize that Delaware
17 Valley High School had a septic for a long -- I
18 mean, a sewer for a long time and then they put one
19 in when the Best Western was built in like 1987;
20 but as far as the rest, was that mandated for the
21 rest of the commercial buildings down there, when
22 they went in to hook into the system down there or
23 did they just go along with or how was that run?

24 MR. SPATZ: Typically -- it's
25 interesting, because for a long time, I thought

1 Westfall had a mandatory connection for all new --
2 for all commercials. After doing the study and
3 investigating that further, nobody can find it. So
4 in my view, if you don't have an ordinance, you
5 can't find it, it means it doesn't exist. So they
6 did not have a mandatory connection ordinance.

7 All commercials generally wanna
8 connect. I mean, they'll specifically site two
9 connects, so I think they just assume. And they do
10 it for a lot of reasons in Westfall. First of all,
11 it gets like a -- they're talking about, they don't
12 have to set aside a big part of their lot to, you
13 know, put a public sewer in and so on and so forth.

14 MR. COONEY: And I know Rose
15 Lane hooked into it, the houses down Rose Lane
16 hooked into it.

17 MR. SPATZ: Yeah, there was a
18 lot of demand -- so Westfall's been very, I don't
19 know, home grown, I guess. That's not the right
20 word but it's -- you know, as people wanna connect,
21 the -- the authority explores it, if there's enough
22 interest, then they go down. That's actually what
23 started this process, there's enough interest going
24 down Route 6 and 209, if they wanna connect --

25 MR. COONEY: If a specific

1 order were there, it would really define the whole
2 project, that it was just a natural thing to move
3 it towards Milford, basically.

4 MR. SPATZ: Yeah. Actually we
5 were -- we were started on the process of doing the
6 planning to go down 6 and 209 and then that
7 borough, I think through the county, caught --
8 caught wind like, hey, do you know that the --
9 Westfall's expanding this way? You guys been
10 struggling --

11 MR. COONEY: Nursing home is in
12 on it, right, they have their own?

13 MR. SPATZ: Yeah.

14 MR. COONEY: They go into the
15 high school, I think.

16 MR. SPATZ: Well, and the other
17 aspect from Westfall that they're trying to figure
18 out is the timing of all this, because the school
19 system, which the -- the school, Delaware Valley
20 School district, they're re -- they are required to
21 -- which everybody's involved here with that, as
22 far as I'm aware. They have to upgrade their plant
23 at the cost of a million plus. And it's more
24 economical for them to connect to the Westfall
25 system.

1 They have evaluated all this at
2 -- at length and they made a decision to connect to
3 the system, but they're on a clock 'cause they need
4 to get this done. So they are -- they're hopeful
5 that they can connect here within the next two --
6 two years, but that's just -- they're just the next
7 property up from the Walmart but --

8 MR. COONEY: Right.

9 MR. SPATZ: -- from a planning
10 standpoint, that's a part of this, we need to --
11 because the school doesn't --

12 MR. COONEY: We toured that --

13 MR. SPATZ: -- its issue.

14 MR. COONEY: -- toured their
15 sewer system when I was in high school. I got out
16 in 1980. I remember like when I was in high
17 school, they took us to there and they explained
18 the whole system to us.

19 MR. SPATZ: So -- so this --

20 MR. COONEY: That's how long
21 that's been there, yeah.

22 MR. SPATZ: So this plan will
23 facilitate the line being altered -- be extended
24 out to at least cover the school, which will then
25 address that pressure point, because they need to

1 do something within the next two years. The
2 authority helped them get a grant with the county's
3 assistance to put in a -- because they need a
4 larger pump. They can't just do a little grinder
5 pump. They have like 15,000 gallons a day, it's
6 quite a bit when they're at -- when it's normal
7 and when you -- when there's a football game but --

8 So they have a grant, but that
9 grant has a deadline, so they, within the next two
10 years, really need to get this going. Again,
11 that's just that next property.

12 MR. COONEY: Will it be hard to
13 extend the lines there through where the road's
14 real narrow on 6 and 209?

15 MR. SPATZ: No. No, we're
16 actually working on it already.

17 MR. COONEY: Really?

18 MR. SPATZ: Yeah, yeah, because
19 of the school. I mean, we wanna get this -- and
20 there's other properties within Westfall, the diner
21 --

22 MR. COONEY: Right.

23 MR. SPATZ: -- has expressed a
24 lot of interest. Kittatinny Canoe.

25 MR. COONEY: That's good to

1 know, yeah. Thank you.

2 MR. TARQUINIO: Connie Nichols
3 had a question or a comment. If you could unmute
4 her, Laurie.

5 MS. DIGESO: She -- she's
6 unmuted.

7 MR. TARQUINIO: Connie?

8 MS. CONNIE NICHOLS: Okay. Can
9 you hear me?

10 THE REPORTER: Yes. Could you
11 state your first and last name and spell both?

12 MS. CONNIE NICHOLS: Connie
13 Nichols. C-O-N-N-I-E, Nichols, N-I-C-H-O-L-S.

14 THE REPORTER: Thank you.

15 MR. TARQUINIO: Could you give
16 your address, Connie?

17 MS. CONNIE NICHOLS: 312 West
18 Catharine Street, in the borough.

19 MR. TARQUINIO: Thank you.

20 MS. CONNIE NICHOLS: Okay. My
21 question, this meeting, I understand, is
22 predominantly about the sewer system in the
23 borough, am I correct on that?

24 MR. TARQUINIO: That's correct.

25 MS. CONNIE NICHOLS: Okay.

1 Last night I attended the Zoom meeting for the
2 planning group for the township. And their feeling
3 is that they're being treated as a passover area
4 and that there's not really been a lot of
5 consolidation with all the groups talking about
6 this together. So I was questioning that because
7 they sound like it's going to pass through their
8 area, but they really aren't concerned and most of
9 their members don't want it. That's what they're
10 saying. That's what I heard at the meeting last
11 night.

12 Now, if it does go through
13 there, does that then open up the area for the high
14 density housing to come in, which is what kinda
15 started all this about two and a half, three years
16 ago? Because we still only have one road coming in
17 the borough from all directions and we don't have
18 any place to expand the traffic area in the
19 borough. We really don't have places to go around
20 the borough.

21 So I am curious, from what I
22 heard last night, they're not feeling like
23 everybody's been on board with them. And this was
24 not the supervisors. This was the planning group.

25 MR. SPATZ: So we had --

1 MS. CONNIE NICHOLS:

2 (Inaudible) do you have information from them?

3 MR. SPATZ: So we had a --
4 stakeholder meetings -- I don't know -- well, I
5 would say over ten, you guys can correct me if I'm
6 wrong, last year in 2019, I would think over ten.
7 There's -- it was every month.

8 MR. TARQUINIO: 2018.

9 MR. SPATZ: Yeah. So it's
10 maybe over 12, 13, 14, 15 --

11 MS. CONNIE NICHOLS: I was at
12 some of those, so I know.

13 MR. SPATZ: Okay. So the -- so
14 the township was present at many and, of course,
15 welcomed to attend all. And the township sewer
16 planning is at the supervisors and/or council
17 level, it's -- you know what I mean? It's not a --
18 it is -- that's who controls it. That's who
19 ultimately makes the decisions in regard to the
20 sewer plan.

21 They can send whomever they'd
22 like, though, of course, to the stakeholders
23 meeting. So that coordination was available and
24 was done. The plan -- the current plan, as
25 written, does not anticipate any connections within

1 Milford Township, and that's at their direction. I
2 mean, that's -- it's the township's plan. So, you
3 know, the borough has its part of the plan; the
4 township has its part.

5 So the -- how it's treated as a
6 pass-through is because that's how they wanted it
7 treated. If they want it treated some -- some
8 other way, they can let me know. The plan -- the
9 current plan, the way it's written, is at the
10 planning commission for public comment right now.
11 So it was -- they typically get, by DEP's -- by
12 law, actually, it's not even DEP's guidelines, by
13 state legislator, the planning commission has --
14 I'm gonna mess this up. I'm gonna say it's 60 days
15 -- is it 30 or 60 days? I gotta -- I can't
16 remember.

17 MR. TARQUINIO: It's 60 days.

18 MR. SPATZ: 60. 60. Thank
19 you. I thought it was 60.

20 They have 60 days. The
21 supervisors extended that another 60 as well, so
22 that the planning commission has up to a hundred
23 and twenty days to provide comment on the plan to
24 the supervisors. So I would encourage that the
25 planning commission write down its, you know,

1 questions, comments, concerns in regard to the
2 plan. If they want to see different things written
3 in it, they should provide that comment to the
4 supervisors, then I will -- then the supervisors
5 will let me know how they want to -- 'cause all --
6 all things are recommendations to the -- the -- the
7 governing bodies, right?

8 So anything from say -- that's
9 what the planning commission's role is, to make
10 recommendations. So they will make
11 recommendations. Whether the supervisors will go
12 along with those recommendations or not, they'll
13 let me know, that's how we'll address the comment.

14 MR. TARQUINIO: I think, Mark,
15 Connie is -- when you look at the budgeting, the
16 budgeting -- Milford Township from the beginning
17 has said they -- they -- no mandatory hookups,
18 everything would just be optional. So in pricing
19 it, we had to look for the funding, what would it
20 cost the borough, because we have to get through
21 the township to get here.

22 MS. CONNIE NICHOLS: I
23 understand that. That makes sense. My concern is
24 just that once you do that and it does come through
25 the township, then there won't be any restrictions,

1 really, on letting someone come in who did want to
2 put up high density housing in that area.

3 MR. TARQUINIO: There are --

4 I'm sorry, Mark, go ahead.

5 MR. SPATZ: Yeah. So, and
6 that's been -- look, we all know this is a thing,
7 and I'm not gonna dance around it because I try to
8 get to the point. This has been a thing in the
9 township, but I -- unfortunately the township is
10 looking in the wrong direction for this, somebody
11 that's concerned, they should address that in their
12 zoning ordinance. Zoning is to control land use,
13 not sewer. You can get in trouble by controlling
14 land use with sewer. Westfall will tell you, in
15 their history.

16 So zoning is where that's
17 appropriately addressed. If there's concerns about
18 future development with the public sewer, that
19 what's allowed in their zoning, they should change
20 the zoning. That's where that should be addressed,
21 and they should do it now.

22 MS. CONNIE NICHOLS: I
23 appreciate your saying that because that's what I
24 was thinking during their meeting, but since I'm
25 not really in the township, I didn't feel like I

1 could bring it up.

2 MR. SPATZ: Yeah. It's --
3 zoning is where that's -- that's where it's
4 supposed to be done. That's where it's legally
5 done.

6 MS. CONNIE NICHOLS: Okay.
7 Thank you very much.

8 MR. TARQUINIO: Is there any
9 other people who'd like to ask a question?

10 MR. MAGNOTTA: Hogan has his
11 hand up.

12 MS. MEAGEN KAMEEN: No, I -- I
13 thought I was going.

14 MS. DIGESO: Yep, Meagen --

15 MR. MAGNOTTA: Okay. Sorry,
16 Meagen.

17 MS. MEAGEN KAMEEN: This is
18 Meagen Kameen again. You have my information.

19 So, Mark, I had a quick question
20 about usage from the Westfall Authority. Will the
21 Wesfall Authority be making the Milford Authority
22 guarantee usage?

23 MR. SPATZ: Not that I'm aware
24 of.

25 MS. MEAGEN KAMEEN: Okay.

1 'Cause I worked for a company in New Jersey that
2 was involved in a sewer project, I don't know if
3 you're aware of the Vernon sewer project that
4 almost bankrupt the town, but they -- the SCMUA
5 made them guarantee the usage. So even though
6 these businesses and the town weren't using it,
7 because a development never happened, they still
8 had to pay.

9 So I just wanted to know if that
10 is a common thing and that is something that the
11 borough should expect, that they may have to
12 guarantee the usage until people hook up.

13 MR. SPATZ: Yeah. I'm not --
14 that hasn't been discussed or -- not that I'm aware
15 of. We connect -- we calculated a wholesale rate
16 from Westfall to the borough, that's \$25 per --
17 yeah, \$25 per EDU. So \$25 of the fee is the
18 wholesale rate, 'cause obviously Westfall has to
19 treat -- you know, the borough has to build a
20 conveyance line, but ultimately Westfall has to
21 treat the stuff.

22 So that's what it costs Westfall
23 to treat their sewer, \$25 an EDU. So that -- that
24 will be a part of the -- it's built into the rate
25 already and obviously that will be a part that when

1 the borough collects revenue, \$25 per EDU of that
2 will then go to Westfall to -- for treatment.

3 MS. MEAGEN KAMEEN: To confirm,
4 you're saying that the -- this \$25 estimated rate
5 is included in the \$76 on that first chart for the
6 -- where you show the loan repayment?

7 MR. SPATZ: Correct.

8 MS. MEAGEN KAMEEN: Okay. So
9 that -- that's already included in there, even
10 though they haven't actually negotiated the
11 agreement yet?

12 MR. SPATZ: Yeah. It's an
13 intermunicipal agreement between the two. It's --

14 MS. MEAGEN KAMEEN: Okay.

15 MR. SPATZ: Yeah. So
16 negotiation as a -- I don't know if you really -- I
17 think it's a correct term, but you gotta remember,
18 in a municipal negotiation, the authorities are
19 charged with justifying a rate and you can only
20 justify a rate by showing the expense. So it's not
21 like a negotiation where Westfall can just charge
22 them whatever they want. You have to justify, like
23 how did you get to \$25 per EDU.

24 Those calculations are done, you
25 know, I'd be more than happy to show them to

1 anybody. That's -- it's -- it's com -- it's open
2 information.

3 MS. MEAGEN KAMEEN: Okay. What
4 is the typical timing in terms of getting people
5 online as compared to when the loans start coming
6 due? So is there a --

7 MR. SPATZ: Once the sewer --
8 yeah. So once the sewer goes in, once the -- the
9 line physically goes down the street and you see
10 the excavator pass through, typically the borough
11 -- and this is typical, there's some flexibility
12 here. But typically a municipality will provide
13 the property owner a 90 day notice to connect.
14 It's a little different here because --

15 (Brief interruption by the
16 reporter for clarification on testimony.)

17 MR. SPATZ: In this scenario,
18 the contractor will be installing the grinder pump,
19 so it's gonna be right along with -- in lines with
20 -- once the -- the construction's kinda going
21 through the area, the grinder pump will be there
22 and then the next month the billing cycle would
23 start, you know, 'cause that's gonna be their sewer
24 -- their sewer use.

25 So it's not -- in many scenarios

1 municipalities install the main and it's the
2 property owner's responsibility to take the sewer
3 from the property, the house or the business, into
4 the main, into the street, and they have to fund
5 that themselves. In this scenario the borough's
6 actually going all the way to -- to tie in to
7 connect the house directly.

8 So it's, I guess -- you're gonna
9 get -- there's -- there's a possibility of a
10 notice, but in the end, reality, if everything goes
11 how it's outlined in the plan, it will be connected
12 as a part of the project and then billing would be
13 subsequent.

14 MS. MEAGEN KAMEEN: Okay. Have
15 you had situations where the municipality is doing
16 the same thing, as where they're running the line
17 to the actual house and installing the grinder
18 pump, but home -- like homeowners or the property
19 owner, in this case, refuses to allow that? Like
20 what happens in situations where a property owner
21 is adamant that they do not want to hook up?

22 MR. SPATZ: So then they -- the
23 property -- then the borough would say, okay, we
24 won't enter your property, but we have a mandatory
25 connection ordinance. So after the sewer line is

1 in place out front, we'll send you notice and then
2 you'll be responsible for making the connection
3 within the next 90 days. And after the 90 days is
4 up, the boroughs, municipalities typically work
5 with property owners as much as they can; but they
6 will start to bill them their sewer bill, whether
7 they connect or not.

8 And then if the property -- you
9 know, at that point they're getting the revenue,
10 really to some extent they don't really care if you
11 connect at that point, but -- but that's how it
12 goes down. I mean, at the end of the day, that's
13 what mandatory connection ordinances are for.

14 MS. MEAGEN KAMEEN: Okay.
15 Thank you.

16 MR. TARQUINIO: I was going to
17 mention, Dakota Hendricks brought in a good point
18 or Connie Nichols, which is, the project in
19 Westfall -- sorry, Milford Township, they changed
20 from doing high density housing to doing a medical
21 facility at this point, withdrew their plans and
22 put in new ones. So they now are not looking at
23 doing high density housing with it.

24 Are there -- well, we're at two
25 hours. Is there anybody else who wants to say

1 something for a final one?

2 MS. DIGESO: Andrew Jorgenson
3 and Mr. Hogan, they both had a quick -- quick
4 comment. I guess we can keep it real quick 'cause
5 we were supposed to end at eight o'clock.

6 MR. TARQUINIO: I think that
7 would be great.

8 So, Tom, you wanna go first?
9 And then we'll have Andrew go?

10 MS. DIGESO: Let me just go
11 ahead and unmute him.

12 MR. TARQUINIO: Okay. It's Tom
13 Hogan.

14 MR. THOMAS HOGAN: Tom Hogan
15 here, I'll be brief.

16 As a builder in the borough, I'm
17 fairly familiar with the soils, having built more
18 than several buildings in the borough, not many,
19 but more than a few. And we're really not talking
20 about that, are we? We're talking about the
21 commercial area, is that correct?

22 MR. TARQUINIO: Yes.

23 MR. THOMAS HOGAN: Okay. So it
24 seems to me, it's very simple, as -- as a
25 businessperson, comes down to this, you do have

1 electricity to your building mostly, you have water
2 to your building, you probably have gas to your
3 building. So when bringing in the sewage, everyone
4 makes a budget for their business every year, they
5 should, just to advertise the costs, make sure that
6 you're gonna make a profit. So it would seem to
7 me, it's a very simple thing, you figure this in
8 with your budget and after a while it'd be just
9 like paying the water bill.

10 Thank you.

11 MR. TARQUINIO: Thank you, Tom.
12 Andrew?

13 MR. ANDREW JORGENSEN: Thank
14 you.

15 I just want to let you know, you
16 know, just -- if anybody doesn't know, we own a
17 local business in town, right on the corner of 101
18 East Harford. I haven't seen many of you there.
19 Come down and support us, just like neighbors do.
20 We also have vegan options and everything else. We
21 appreciate that.

22 Thank you.

23 MR. TARQUINIO: Thank you.

24 Thanks to everyone for coming
25 tonight, thanks to meeting -- thanks, Tammy, for

1 putting up with the borough.

2 (Hearing adjourned at 8:02 p.m.)

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7 I hereby certify that the
8 proceedings and evidence are contained fully and
9 accurately in the notes taken by me at the hearing
10 in the above matter; and that the foregoing is a
11 true and correct transcript of the same.
12

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14 Tammy M. Panko Shaw, CR
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Before
THE MILFORD BOROUGH COUNCIL
(Via Zoom)

In Re: Continuation of Public Comment on the
Proposed Adoption of a Sewage Facilities
Plan Pursuant to Act 537

Thursday, December 17, 2020, beginning at 6:00 p.m.

PRESENT: FRANK TARQUINIO, President
GREGORY MYER, Treasurer
PETER COONEY, Councilman
JOSEPH DOOLEY, Councilman
SUSAN LYDDON, Councilwoman

SEAN STRUB, Mayor

LAURIE DIGESO, Borough Secretary

ANTHONY J. MAGNOTTA, Esquire
Solicitor

APPEARANCE: MARSHALL E. ANDERS, ESQUIRE
624 Sarah Street
Stroudsburg, PA 18360
For the Pike Citizens for
Responsible Growth

ALSO
PRESENT: Mark Spatz, HRG Engineer

PANKO REPORTING
537 Sarah Street, Second Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. TARQUINIO: Milford Borough
2 public comment meeting on proposed 537 Plan for
3 central sewage, for the commercial district and
4 continued on-lot system for the residential. This
5 is the second meeting in the expanded period that
6 will last until December 31, and we welcome
7 everyone to make comments in writing, you know,
8 whichever way you'd like to -- to do it.

9 If we want to rise, we'll say
10 the pledge of allegiance.

11 (Pledge of allegiance was
12 recited.)

13 MR. TARQUINIO: Good evening.
14 Whoever came, thank you. The last one we --
15 basically we -- I gave a little time line of what
16 the borough's done over the past two years and what
17 it will do and then Mark Spatz, who's our engineer,
18 talked about some of the engineering. I don't know
19 how many people were in the last call, but we will
20 spend about 10 or 15 minutes doing that and then
21 we'll go into questions with everyone.

22 So first some housekeeping, can
23 you see -- everyone see my screen? Yes?

24 MALE VOICE: Yeah.

25 MR. MAGNOTTA: Yes, Frank.

1 MR. TARQUINIO: Okay. This is
2 -- as required by the PA DEP, this is the second
3 meeting to allow residents, business owners and
4 property owners and all interested residents to
5 express their comments and questions about the
6 proposed 537 Plan. Written comments will be
7 accepted through December 31, you can forward to
8 the borough secretary, you can mail it to the
9 borough office. If there's a need for a third
10 meeting, that is, if it goes too long tonight, then
11 we will schedule another one.

12 A court stenographer's pleasant
13 -- or is present. She's pleasant too, but she's
14 present. Please provide her with your full name,
15 your full address and whether you are a resident of
16 the borough. This is required, it's, you know, for
17 her to record the information. Anyone wishing to
18 speak, if you can forward to the borough secretary
19 by chat that you wish to do so, with the -- and
20 that's for the purpose of making a smooth
21 transition between speakers and maximizing the use
22 of our time.

23 So if you want to, you know --
24 you don't have to wait until somebody's finished to
25 say you want to speak, that way we can just move on

1 to the next person.

2 MR. ANDERS: I think you said --
3 I think you said go into the chat.

4 MR. TARQUINIO: If you indicate
5 you want to speak and then feel your comments have
6 been aired by others, you can always say that you
7 -- you state your name, your address and then you
8 can say you agree with those comments and you
9 support that person.

10 FEMALE VOICE: I would like to
11 --

12 MR. TARQUINIO: And this will be
13 noted and put into the comments. This meeting has
14 been advertised. If you have written copies of
15 your verbal comments and wish to submit these as
16 well, please forward them to the secretary. If you
17 just have a phone, if you hit Star 9, I believe
18 that allows you to chat with the secretary.

19 The time line for this began in
20 July of 2018 and there was a -- first
21 intermunicipal representative meetings, one person
22 from each municipality, and they were all voted by
23 the council to vote to participate. And for us it
24 was for the commercial district, to engage in a
25 discussion of it. So that discussion took place

1 between three municipalities; Wes -- Westfall,
2 Milford Township and Milford Borough, and that
3 continued from July of '18 through February of '19.
4 There were monthly meetings and the council meeting
5 updates every month; so it was discussed every
6 month at our council, what had taken place at the
7 intermunicipal meetings.

8 In -- I'm sorry. In January of
9 2019, there was a public meeting with the
10 engineering firm that both Milford Township and
11 Milford Borough co-hosted. In February 2'19,
12 Milford Borough voted to enter into an
13 intermunicipal agreement for the Act 537 study. In
14 April 2019, there was a second public meeting with
15 the engineers and that was in the borough itself.
16 From February to June of 2019, the agreement was
17 modified because Matamoras asked if they could join
18 into the agreement. So that required us to do a
19 new four municipality intermunicipality agreement,
20 which was done in July.

21 From July to December, there was
22 -- mail and on-lot surveys were sent out in the
23 four municipalities, which is part of the required
24 537 Plan. From December 2019 -- in December 2019,
25 there was a meeting by -- the DEP set up the

1 meeting in Scranton, they asked for one
2 representative of each municipality to be present
3 at a meeting when they discussed the project, what
4 was going on and there was a notification submitted
5 in December to the DRBC. And from January 2020 to
6 March 2020, the preliminary engineering options
7 were designed by HRG, which represents the Westfall
8 Authority.

9 In March 2000 (sic) to August
10 2020, a draft 537 was produced by HRG. In August
11 2020, the draft was reviewed and changes made by
12 the borough council, the water authority, was
13 reviewed. The plan was sent to the PA Museum and
14 Historical Commission. Approval has been received
15 by them, they were sent to county planning for
16 review and they have approved it with changes, they
17 -- they added some changes.

18 From August 2020 to October
19 2020, the Milford Borough Planning Board, together
20 with the zoning officer reviewed it and they made
21 recommendations and sent them to the council. In
22 November 2020, the council approved the
23 recommendations and they forwarded those to HRG and
24 we're now in December, the comment period.

25 We're expecting in January to

1 address the comments. In February we expect that
2 we will vote when we receive the comments back on
3 the resolution, whether we'll adopt the 537. And
4 then between -- I have -- we don't know what date
5 the other municipalities will be done. So when
6 they are done, I presume the plan will be sent to
7 the DEP and based on the four municipalities and
8 they'll be a DRBC hearing.

9 Hopefully in January of 2022,
10 the borough will review and vote on any changes to
11 DEP. From 2002 (sic) to 2000 question mark, first
12 there'll be new intermunicipal agreements. With
13 us, it will be with Westfall and Milford Townships,
14 and then they'll be followed by the funding
15 pursuit. I guess if funding is obtained, there'll
16 be a vote by the council. If the council votes to
17 do it at that point, it'll be three years of
18 engineering and permitting followed by five years
19 of construction.

20 Mark, is that a pretty accurate
21 summary?

22 MR. SPATZ: Yeah. Yeah, once
23 the -- once the plan is approved, I think once the
24 engineering is done, it could take -- it could take
25 a year or two for the per --

1 MR. TARQUINIO: Yeah.

2 MR. SPATZ: -- the planning and
3 permitting. I would think construction would take
4 maybe two years at the most.

5 MR. TARQUINIO: Oh, good. I
6 like --

7 MR. SPATZ: That wouldn't be in
8 one location, they would all -- it would go fairly
9 quick in the borough and could probably take a year
10 at the most. It would be a season, like a summer
11 kinda thing.

12 MR. TARQUINIO: I was looking
13 for a linear thing, but that -- that's fine, we can
14 do it quicker, if it gets approved, that would be
15 fine.

16 MR. SPATZ: Yeah.

17 MR. TARQUINIO: Okay. So that's
18 sort of the time line.

19 Mark, do you want to still give
20 the outline of what's in the 537?

21 MR. SPATZ: Sure. Do you guys
22 want me to share a screen?

23 MR. TARQUINIO: Yeah. I'll stop
24 sharing.

25 MR. SPATZ: I need permission.

1 MR. TARQUINIO: Laurie.

2 MS. DiGESO: Sure. Let me make
3 you co-host.

4 MR. MAGNOTTA: Hello, Marshall.

5 MR. ANDERS: Hi, Tony. How are
6 you?

7 MR. MAGNOTTA: I'm good.

8 Thanks. I didn't see you before.

9 MR. ANDERS: Did you get my
10 letter?

11 MR. MAGNOTTA: I did. Thank
12 you.

13 MS. DiGESO: Okay. Mark, you
14 should be good now.

15 MR. SPATZ: There we go. I
16 guess -- is that bigger, I guess? I don't know.
17 I'm trying to just share my whole screen, wasn't --
18 didn't seem like an option.

19 MR. MAGNOTTA: It's not
20 cooperating.

21 MR. SPATZ: Yeah, usually it's
22 an option to share the entire screen. I don't want
23 to share just a program and a white -- and I don't
24 wanna share a white board. Share -- it's like only
25 letting me share apps. All right. Well, I can --

1 I guess I can manage.

2 So the 537 Plan is available,
3 for anybody to review it. You can simply go to
4 tiny dot CC, forward slash, Eastern Pike at
5 E-a-s-t-e-r-n P-i-k-e 537. You type that into
6 even your smart phone, anything with the internet,
7 you will come to this screen, from there you can go
8 into the chapters. You might want to hit this name
9 up top to sort this and this will show you the
10 chapters from the cover page to the executive
11 summary down all the way to Chapter 8.

12 The executive summary, if you
13 just want a brief, is -- that's what that's for.
14 And then if you want to see some more meat on the
15 bone, after you review the executive summary, then
16 that will -- that's the -- the format of the
17 executive summary, how it goes through topics, is
18 basically the same topics of each chapter. It's
19 just -- it hits the highlights, essentially, of
20 each chapter. So then if you want to see more meat
21 on the bone, obviously then you can go through each
22 chapter.

23 Chapters 1 through 4 are
24 basically background information on the existing
25 public treatment option within Westfall, zoning,

1 planning, soils information, geography, things of
2 that nature. All -- all in situ conditions are --
3 are on-site, existing conditions within the area
4 and the planning soils, you know, existing systems,
5 so on and so forth.

6 Once you get into Chapter 5,
7 that starts talking about the alternatives that
8 were evaluated. And then 5 through 8 really is the
9 -- the -- the most important parts I consider, at
10 least. It depends what you're interested in, but
11 the most important parts, where you really get into
12 what are the alternatives and then kind of peeling
13 back the onion on those. And finally, Chapter 8
14 focuses a lot on the costing. There's costing in
15 Chapter 5 as well, but this gets down to the -- the
16 -- determining the, you know, funding options and
17 you -- and projected user rates and things of that
18 nature.

19 If you -- you don't need an
20 internet browser or -- sorry. You don't need PDF
21 software. If you just click on these, they will
22 open within the website itself. You can always
23 download those on, again, a smart phone, tablet,
24 PC, anything you have that has the internet and
25 then you can view them on whatever PDF software you

1 might have there. So you can see in this -- this
2 chapter, you know, specifically Chapter 7, it's
3 just two pages. So some chapters are longer, some
4 chapters are shorter, you know, when you're
5 reviewing down through here. Chapter 8's three
6 pages.

7 So the document in total is 1500
8 pages, but a lot of that is in these up-front
9 chapters. When we talk about any of the ordinances
10 that are in place, in any of the municipal -- in
11 any of the municipalities, which would be -- and
12 I'll flip over here. This is where I'd love it to
13 -- it just to show my entire screen, but it's --
14 it's Matamoras, Westfall, Milford Township and
15 Milford Borough -- actually I can click on this.
16 There you go. And you can see these are the
17 municipalities.

18 So any of the ordinances in
19 relation to zoning and comprehensive plans are
20 included within the 537 Plan. So obviously those
21 pages are hundreds of pages, so that's where it
22 really gets a bulk of its -- its page size, but the
23 chapters themselves are -- are honestly really
24 not -- not that many pages.

25 Chapter 5 specifically, like I

1 talked about, this is where it starts to get into
2 the meat, and there is a number of pages in Chapter
3 5; but when you really start looking at it, a lot
4 of it's just these cost estimates, going through
5 each option. So out of all the options, you know,
6 there's only a -- as you read down through Chapter
7 5, it's only -- talks about a couple recommended
8 alternatives so you could really just hone in. You
9 don't need to look at all the cost estimates, but
10 if -- if you want to, they're there, of course.
11 And then it summarizes all the costing here on --
12 at the end of Chapter 5. So that is that.

13 If you go back in -- back up
14 here and you go to appendices, these appendix --
15 Appendix A is a environmental assessment, which is
16 a lot of pages, but it's -- it's a requirement of
17 the 537 Plan and it's -- honestly it's a -- a lot
18 of it's just a duplicate of the content of the 537
19 put in a different format, which we're required to
20 do, oddly enough. So a lot of this content is the
21 same content that's in the other chapters, it's
22 just put in a different format, the UER needs to be
23 a different format than the 537.

24 Appendix B has all the
25 ordinances and comprehensive plans, you can see,

1 you know, that's 1,360 pages. So when we talk
2 about this huge document, you can see almost all of
3 it's just in Appendix B and these are all just
4 existing ordinances from the borough, from Mat --
5 you know, from all four municipalities, so that's
6 where a bulk of it is.

7 Appendix C is a mapping of the
8 area. So the planning area map, so, hones in on --
9 let's see if I can maximize this. I guess this
10 will work. -- hones in on, you know, the specific
11 like overarching large area maps, like which
12 municipalities are we studying, you know, what are
13 the -- the hydraulic conditions, this is looking at
14 wetlands, so on and so forth. So a lot of
15 engineering involvement to try to really do a
16 comprehensive study.

17 And the study, the format of the
18 537 Plan is not an HRG, you know -- we're not
19 directing what format that is. We're prescribed by
20 the Department of Environmental Protections, the
21 Pennsylvania Department of Environmental
22 Protections, the exact format that needs to be
23 followed. So when you see certain things in there,
24 most of it is at the guise of the department.

25 And this was -- you know, the

1 537 process was initially developed back in the
2 '60s and then obviously through the '70s, '80s and
3 '90s, really optimized, I guess, you know, as
4 changes -- as it, you know, plans kept getting
5 written, that guidance just got honed in further
6 and further and further. Now it's pretty -- I
7 don't know if I want to say cookie cutter, I mean,
8 each area's different, but it is, you know -- you
9 have to do A, you have to do B, you have to do C.
10 You have to do all these -- these maps the exact
11 way that the department wants to see them, so on
12 and so forth.

13 So a lot of these maps, these
14 are what the department wants to see. This is what
15 they want to see analyzed and of course we go
16 through all that information. I'm not gonna get
17 into all the details of that, but if you do have
18 any specific questions on any specific maps, you
19 can either write to the borough or ask them
20 tonight, of course.

21 The last page on this appendix,
22 Appendix C, is a nice map, it breaks down kind of
23 the planning areas. So you can see we're here in
24 Milford Borough; however, the Westfall plant is
25 down here, this is the Westfall area. Westfall has

1 two study areas within its boundaries. We have
2 Matamoras Borough, of course, on the other -- east
3 side. There's study areas of the entire borough
4 and then we have this study area as part of Milford
5 Township, so you can kind of see the different
6 study areas that were looked at. This light blue
7 area, this is the existing service area of the
8 Westfall public system right through here.

9 So basically all the commercial
10 district and up to the high school is where it
11 serves currently, but they are looking to expand
12 that out, both -- you know, over, past and up to
13 Matamoras Borough and then out to the west line of
14 the township as well. And of course, that would --
15 that trunk line would come through up three lane to
16 Milford Borough and then go down to the commercial
17 streets or the main avenues, East Harford Street
18 and Broad Street, to conserve the commercial
19 district. And we'll talk about that turn --
20 alternative there in a second. So that's all
21 append -- Appendix C.

22 Appendix D, just some
23 information about the Municipal Authority of the
24 Township of Westfall, that's what this MATW is. So
25 we can take a look at that, like this is their

1 Chapter 94 report, which is a report they need to
2 do every year, so that's the latest one.

3 Appendix E is flow data. So
4 basically you're looking at all the different like
5 -- if we're gonna serve public sewer for these
6 certain areas, how much additional wastewater flow
7 are we talking about. And that flow data was
8 derived from -- in the Milford Borough's specific
9 case, since you got public water, it was derived
10 from the public water records, that the water
11 authority could provide, which is -- is -- is very
12 nice that they have that level of detail.

13 Sometimes 537 Plans don't have that level of
14 detail, so it was really nice that we have some
15 pretty accurate numbers there.

16 Appendix F is the survey
17 results. Frank alluded to this, in regard to the
18 on-site surveys that were done to assess the
19 existing systems in place, and there should be a
20 map, I think that's -- yeah, that's in a different
21 appendix. There's actually -- so this all the data
22 sheets. Again, a lot of engineering, if you do
23 have any questions, I can address those. I wasn't
24 gonna specifically go through those.

25 But more importantly is, here's

1 the survey map, which is in Appendix G. It's a
2 separate appendix all by itself. So on-site
3 surveys of the existing septic systems were
4 completed and how these were completed were through
5 mailers. You might've received a mailer; if not,
6 maybe your neighbor did. And they were voluntary
7 for people to write back and report on the status
8 of their systems, their on-site systems; but then
9 we have to do on-site verification as well.

10 So Matt Roberts from our office
11 last year, prior to the pandemic, kind of -- we
12 started in the fall, took a pause in the winter,
13 'cause you have to, just 'cause of snow and things
14 of that nature, and you can't really see the
15 on-site conditions. And then picked it up and
16 luckily got it completed prior to lockdowns and
17 things of that nature.

18 When you go into this map, you
19 can see there's a little appendix over here or a
20 little legend, sorry. And this legend -- browse
21 over to it, see if I can -- there you go. This
22 legend talks about no malfunction, potential
23 malfunction, suspected malfunction and confirmed
24 malfunction. Those are defined by the DEP and they
25 have paragraph long definitions of what that

1 exactly means and the guidelines of how we need to
2 do that. So you can see, you know, out of all the
3 results, we have 187 no malfunctions, 9 potential,
4 176 suspected and then 26 confirmed malfunctions.
5 And that's in the (inaudible), in the overarching
6 area, in the entire area.

7 So not a ton of confirmed
8 malfunctions, but there was a lot of suspected.
9 And suspected is, basically we can't tell either
10 way, again, this is prescribed by the department.
11 Throughout the entire area a lot of the on-site
12 septic systems are cesspools, which are basically just
13 holes in the ground, where, when you flush -- you
14 know, when you go to the bathroom or you're taking
15 a shower or you're washing your dishes, goes into
16 this tank and it, you know, may be rock-lined or
17 whatnot, and then the biomass, or soaps or
18 whatever, will stay within that area and hopefully
19 gets pumped -- you pump it out every now and then.

20 And then the -- the -- most of,
21 you know -- when you flush the toilet or take a
22 shower, most of it's just water and that water will
23 go into the ground, into the -- it's a lot of sandy
24 loam conditions within the area, so kind of leach
25 into the ground and then nature takes its course.

1 There's bacteria in the grounds that will -- that
2 will -- that will take care of it as well, but we
3 don't know -- a lot of these systems we can't
4 observe and honestly it really just comes down to
5 the department says if you have a cesspool, it's a
6 suspected malfunction, it's black and white,
7 there's no -- that's -- that's how they find. So
8 that's -- a majority of those were that.

9 We didn't see any -- within the
10 borough, we didn't see any specific areas of
11 confirmed malfunctions where there was a ton of
12 them all clustered together, which is a good thing,
13 'cause then in -- in that scenario, the department
14 would obviously expect a public sewer remedy within
15 those specific areas, special -- specifically in
16 residential areas, so right the -- the -- the drive
17 of this in the -- in the on-slot was to address,
18 you know, the commercial districts; but if we
19 would've found a lot of confirmed malfunctions
20 within residential areas, the department would've
21 expected that to be served by public sewer.

22 So it's a good thing, you know,
23 I guess, depending on what you're looking for; but
24 specifically for the borough we weren't looking to
25 reach out into the residential areas, and luckily

1 there wasn't really a mass of confirmed
2 malfunctions. There was a couple spotted ones here
3 and there, but that's not a huge issue. And those
4 will be -- need to be addressed, you know, with the
5 property owner and the SEO in the future. So that
6 is that map, that's an important map, that's
7 Appendix G.

8 Appendix H is just some OLDS --
9 sample of an OLDS Ordinance. So an OLDS Ordinance
10 is an On-Lot Disposal System Ordinance. And that
11 is, you know -- a part of the plan is recommending
12 that all the residentials stay on their on-lot
13 septic systems and then the commercial, in the
14 current plan, looks at having a public sewer
15 alternative there. With that, the department will
16 weigh in and say, okay, you know, we're hoping the
17 department will say that -- that sounds good, you
18 know, we don't see a -- a ton of failures in the
19 residential areas, that seems to make sense;
20 however, we want to make sure that if that is the
21 plan, that people are maintaining their on-lot
22 septic systems.

23 With that, they recommend -- and
24 it's really up to the borough, ultimately, with
25 that ordinance, but we just provide a draft there,

1 which you can review, again, in Appendix H, that
2 this draft recommends that folks will, you know, be
3 maintaining their systems through pumping on a
4 regular basis.

5 Within the borough, the plan is
6 written currently that the borough will do an
7 active monitoring period, after the plan is
8 approved, for a five year period and to see --
9 that's with their SEO. And if their SEO does not
10 believe that there is a high level of failures or
11 concerns, they might not adopt the OLDS Ordinance;
12 however, if they're -- you know, through that
13 active investigation period, do find that, you
14 know, there really is lack of maintenance, then the
15 borough will consider this OLDS Ordinance. Again,
16 a draft of that is in Appendix H.

17 Keep in mind this is just a
18 template as it's written here, the borough can
19 change it. Honestly the changes that would get
20 implemented is really between council and the
21 department may weigh in on it if they -- if there
22 is a lot of malfunctions and things of that nature,
23 but as of right now, not seeing that that's going
24 to be the case. Again, five year monitoring period
25 and then they'll consider this, if it's really

1 deemed to be an issue.

2 Finally, Appendix I is the
3 alternatives exhibits, so this is -- this is just
4 maps showing of -- let's see if it's loaded here --
5 showing the different alternatives that we looked
6 at for public sewer alternatives, 'cause the
7 on-sites are pretty straightforward. Right?
8 That's just continuing the same for the residential
9 properties so we don't have to look at a bunch of
10 alternatives. They -- they have an on-site system,
11 it's gonna stay the same, there's really no
12 alternatives to look at there. But the public
13 sewer alternative would be a new thing, a new
14 option. So we looked at, you know, how would that
15 be done.

16 You can see we did a number of
17 maps in here. Each of these maps corresponds to a
18 -- let me back up here a little bit here so you can
19 see the whole map. You can see on the whole map,
20 you see Alternative 6D, top of this one,
21 Alternative 6C; so they go -- you know, obviously
22 I'm -- I'm browsing up, but if I would go from the
23 top down, 6C, 6D. Ultimately the borough is
24 looking at Alternative 6F right now as the
25 recommended alternative to be in the plan.

1 And that is contemplating --
2 like I talked about before, that the Westfall
3 system is down here. Here's the plant right here
4 along the Delaware River -- that a main would be
5 extended up through Westfall Township through
6 Milford Borough and then into -- or through Milford
7 Township into Milford Borough, it would split off
8 and go down the alleys on the flank, Broad -- yeah,
9 Broad Street and then would go down the -- would go
10 down East and West Harford Street in the center.

11 And the reason we -- we're
12 flanking the alleys is to minimize impact on Broad
13 Street, but unfortunately on Harford Street,
14 there's no alleys on the sides. So really have it
15 available to businesses on both sides, they really
16 just need to go down Harford Street, so -- so
17 that's -- that's the setup there.

18 It's looking at a pressurized
19 sewer system, so each property that would connect
20 would have a grinder pump that would push the
21 sewage into it. And we looked at gravity -- and
22 some of the alternatives are gravity as well and it
23 really comes down to convenience and -- and saving
24 expense -- upfront expense for property owners
25 because of plumbing and things of that nature.

1 Grinder pumps are a lot more flexible, in where
2 they can placed and how you can get the sewer
3 routed around to pump into the main and also just
4 the -- the overall construction costs, you know, is
5 more affordable for the project which then is, you
6 know -- the project is paid for by the people that
7 use the system. Right? So affordability for the
8 project is important for the affordability for the
9 customer, and then also the customer's expense as
10 well. So it really comes down to a costing --
11 flexibility in a costing arrangement, so that's why
12 Alternative 6F is the recommended alternative, what
13 the borough is looking to go with right now.

14 So that is the highlights of it.
15 Let me see, I can browse over to this. I guess I
16 can end my share there. If there's any specific
17 questions or we can start to go through the public
18 comments. Hopefully that gives a brief.

19 MR. MAGNOTTA: Well, Mark, if I
20 -- if I may, Attorney Anders is on and I know he's
21 in the chat requesting to be addressed. He did
22 send a letter, which I did share with the borough
23 secretary and I believe --

24 Did you receive a copy, Mark?

25 MR. SPATZ: Yeah. Yeah, I

1 received it. Yep.

2 MR. MAGNOTTA: Okay. So I don't
3 know if -- if -- if you wanted to start with maybe
4 having Attorney Anders unmuted so he can address
5 the council members and also the engineer with his
6 questions.

7 MR. SPATZ: Sure. That works
8 for me.

9 MR. ANDERS: Tony, can you hear
10 me?

11 MR. MAGNOTTA: Yes. Thank you,
12 Marshall.

13 MR. ANDERS: I think the first
14 comment or question, which I think is probably the
15 most important, is, would the borough council
16 consider having a citizens advisory committee to
17 work with the borough council, to give their input,
18 as well as the input from other residents located
19 in the borough?

20 MR. TARQUINIO: Sure we would.
21 We do have a -- just on a side note, we just
22 finished the survey for the next comprehensive plan
23 and it did give an honest input, but it did show
24 that the majority of residents that answered it
25 were in favor of going ahead with the commercial

1 district; but we absolutely would consider having a
2 group, yes.

3 MR. ANDERS: Next -- and I think
4 this may have been outlined earlier after the
5 commence -- after the comment period procedure
6 leading up to council making a final decision, I
7 think that was addressed earlier in the meeting,
8 that we're -- we're down the road a couple years
9 before a final decision is made. One thing that --
10 to kind of -- and maybe I have this wrong, but what
11 was said earlier tonight by the engineer is, once
12 DEP gets in the picture and does it take -- if it
13 decides that there should be sewers to the
14 residences in the borough, does that take it out of
15 the borough's hands?

16 MR. TARQUINIO: I'll answer, I
17 guess, if Mark can answer too, but as I believe, if
18 they found that there was a need to do it, then
19 they would enforce it.

20 MR. MAGNOTTA: I guess to --

21 MR. SPATZ: You know, so --

22 MR. MAGNOTTA: Mark, if I -- if
23 I could just ask a question compounded on
24 Marshall's question. By way of background, there's
25 an intermunicipal agreement that's been entered

1 into between the parties. And that agreement and
2 also this plan, as far as I can see, is frameworked
3 on whether or not it's feasible for implementation
4 purposes.

5 Mark, correct me if I'm wrong,
6 but you have a footnote on your implementation
7 schedule, which says that without the updated
8 intermunicipal agreement, including updates to the
9 rules and regulations, development agreements and
10 favorable funding, public and private, that these
11 alternatives are not feasible and would not be
12 implemented.

13 Marshall, I don't know if you're
14 aware, but the agreement that was entered into
15 specifically states that if the plan is not
16 feasible, that the borough has the option not to
17 implement it.

18 And, Mark, I -- I just want to
19 address this to you as part of this discussion.
20 Should the -- should the proposed 537 Plan, instead
21 of using the word feasible, use the word
22 technically and economically feasible, 'cause isn't
23 that the EPA buzzword -- DEP buzzwords?

24 MR. SPATZ: I mean, we can
25 change it to either way. At the -- at the end of

1 the day, the department is not, in our ex -- we can
2 -- we can make it say that. In our experience, the
3 department is not heavy-handed unless there's a
4 public health, safety and welfare concern. If they
5 would see a cluster of failed systems within a
6 certain area that were not being addressed, they
7 would want to see that addressed. So that --
8 again, in our -- in our experience, they have not
9 been heavy-handed with municipalities, especially
10 if it's not affordable.

11 MR. TARQUINIO: And --

12 MR. MAGNOTTA: So my -- my
13 comment --

14 Go ahead, Frank.

15 MR. TARQUINIO: I was just -- I
16 was just gonna add, also we have central water, so
17 that lessens the impact of it because what their
18 current -- when we met with them, what they said
19 is, right now their focus is still on those with
20 wells because of the impact.

21 MR. MAGNOTTA: But my comment is
22 only to buttress what I think counsel's position
23 has been from day one, that it not only has to be
24 technically feasible, but it also has to be
25 economically feasible for the users and for the

1 borough.

2 MR. SPATZ: Yeah. And we have
3 -- we have language in there that I -- I -- we
4 think addresses that, but if you wanted to see it
5 -- have additional, you know, verbiage around it, I
6 don't see an issue with that.

7 MR. MAGNOTTA: Thank you, Mark.

8 MR. SPATZ: So you know, I can
9 -- we're not, you know, I guess -- we're not
10 attorneys, so if there's other ways you'd like to
11 see that written, that might be a little bit more
12 -- just, you know, legal terms matter --

13 MR. MAGNOTTA: Yeah, I -- I'm --

14 MR. SPATZ: -- though
15 (inaudible) I appreciate --

16 MR. MAGNOTTA: And I'm only --
17 and I'm only doing this --

18 Sorry, Tara.

19 I'm only doing this because I
20 know what DEP looks at and what EPA looks at and --
21 and that technically in economically feasible
22 language, is the language I think we want to have.

23 Okay. Thank you.

24 MR. ANDERS: In -- in -- kind of
25 in conjunction with that, and maybe this is a

1 premature question, but I understand that Milford
2 Township may opt out of the situation. Who will be
3 responsible then for the -- lack of a better word,
4 the trunk line coming from Westfall Township into
5 the borough?

6 MR. MAGNOTTA: I don't know.

7 Mark, I think you addressed that
8 last meeting, but I --

9 MR. SPATZ: Yeah. We've never
10 -- so the -- the project cost, the way it's been --
11 the project cost that we are looking at for the
12 borough is the entire project from the Westfall
13 Township line into the borough and through the
14 borough, not throughout the entire borough, but I
15 mean, down that commercial streets. And we did not
16 count on any revenue from the township.

17 MR. TARQUINIO: And I just --

18 MR. SPATZ: And I have not --

19 MR. TARQUINIO: Go ahead.

20 MR. SPATZ: I have not heard
21 that the town -- that the township is going to opt
22 out. I don't think they will, honestly, because
23 it's not -- there's more -- there's more than meets
24 the eye to that. But if they do, it's not going to
25 impact the Milford Borough's financial options --

1 or it's not gonna really impact -- any of the
2 bottom line numbers you see, it's not gonna have
3 any impact, 'cause we counted on no revenue from
4 the borough -- or from the -- the township. So
5 we're anticipating no connections within the
6 township, but in reality, I think there are gonna
7 be connections because I think some of the
8 businesses along the route will wanna connect,
9 but --

10 MR. MAGNOTTA: So, Mark, I have
11 a follow-up question to Marshall's on that. If
12 Milford Township -- and I don't like to use the
13 phrase opt out, but if Milford Township does not
14 have a mandatory connection ordinance and
15 connections are voluntary, what will happen to the
16 borough if there's a large number of connections in
17 Milford Township? If the borough is paying, as
18 part of this project for the trunk line to get to
19 the borough line and through the borough, will the
20 borough receive a reimbursement on the collection
21 portion of any tapping fee paid by Milford Township
22 users?

23 MR. SPATZ: So I think it's
24 simplified a little bit because from what I
25 understand, the Milford Authority is going to be

1 the entity that was put in responsible charge for
2 construction of the line. And that authority
3 represents both municipalities, it doesn't just
4 stop at the borough line, it represents the muni --
5 or at least has jurisdiction or -- or utility
6 service, let me say that, utility service within
7 the township and the borough.

8 So looking at it, that it's, you
9 know, not the borough and the township as two
10 separate entities, because if you're really gonna
11 have one en -- one project and one entity, that
12 would, you know, work towards the financing and
13 ultimately the construction, which would be the
14 authority. Obviously the more people that connect,
15 the -- the better the financing works on that line.
16 You have a fixed project cost and then the more
17 people that connect to it, obviously, it's more
18 revenue -- more tapping fee revenue, things of that
19 nature, so it'd be less you'd have to finance and
20 things of that nature.

21 MR. ANDERS: To follow up on
22 Tony's question then, would there be some type of
23 re -- no matter who's doing it, would there be some
24 type of reimbu -- reimbursement to the borough for
25 the monies expended from the people in Milford

1 Township to hook up?

2 MR. SPATZ: Well, the -- the --
3 from what I understand, and the -- the borough can
4 chime in, it's not gonna be the borough that's
5 building lines, it's gonna be the authority.

6 MR. MAGNOTTA: Milford -- the
7 Milford Water and Sewer Authority is going to be
8 the entity that has the jurisdiction, correct?

9 MR. TARQUINIO: Correct.

10 MR. SPATZ: That's what I
11 understood, yeah.

12 MR. TARQUINIO: Correct.

13 MR. SPATZ: I mean, it can -- it
14 can go a number of ways, but what we talked about
15 to date, that I'm aware of, at least, is that the
16 -- so each person that would connect within the
17 borough or within the township would -- would be a
18 part of the, you know, rate revenues, monthly
19 revenues, things of that nature.

20 Now, you know, how tapping fees
21 are addressed, that's gonna be up to the authority,
22 you know, and the -- the township -- the borough
23 and the authority on how that's addressed, because
24 you gotta keep in mind that the authority serves at
25 the pleasure of both entities as well. It's, you

1 know, they're the arm of the municipal government
2 that is typically charged with projects, you know,
3 some -- something like this.

4 The same thing as Westfall
5 Township. You know, Westfall Township created the
6 Westfall Authority with a specific mission in mind,
7 you know, operating, maintaining the public sewer
8 system. So that's all they worry about, and the
9 municipal authority within Westfall doesn't worry
10 about plowing the roads. That's not their thing.
11 They worry about the sewer system, so it's the same
12 thing for your water authority, which will -- which
13 is a municipal authority, so it can -- it can take
14 on sewer now as well. So they're operating,
15 maintaining the water system, doing all the
16 billing, all that kind of stuff, we can extend that
17 to now then to do sewer service; but again, it
18 would just operate under the same guise they have
19 been for all these years --

20 MR. MAGNOTTA: So --

21 MR. SPATZ: -- with both
22 municipalities.

23 MR. MAGNOTTA: So just to
24 summarize then, the way the plan is currently set
25 up, it would be for the municipal authority, Mark,

1 to im -- implement the plan if -- if -- if the plan
2 were to be approved by council?

3 MR. SPATZ: That's how it's --
4 that's how it's written in the plan right now.

5 MR. MAGNOTTA: Okay. Thank you.

6 MR. SPATZ: Yeah. So the
7 municipalities are from a -- from the state level,
8 municipalities are responsible for public sewer,
9 whether that's gonna be on-site or a public system.
10 Their municipalities are responsible for sewer.
11 Again, we don't think of it sometimes because of
12 on-site, but they're still responsible for the
13 on-sites and to make sure they're functioning and
14 all that kind of stuff. The munic -- so the
15 planning aspect, that's why we're at the
16 municipality level, that's why we're speaking --
17 you know, that's why the borough's engaged.

18 Now, once that goes from the
19 planning aspect into the implementation aspect,
20 that's when you lean on authorities. That's what
21 authorities were created for back in the '60s.

22 MR. TARQUINIO: And I was just
23 going to add one thing, which is, if somebody in
24 the township was hooked up, or a business, they
25 would be paying part of the loans every month as

1 part of their fees. So if, you know -- I mean, so,
2 yes, they would be paying, you know, for a portion
3 of the convey --

4 MR. MAGNOTTA: Contribution.

5 MR. TARQUINIO: -- contribution,
6 right, they would. I don't know if that answers
7 your question any better, but the same way somebody
8 in the borough is paying part of the loan every
9 month, they would be paying a portion to how much
10 water they used.

11 MR. ANDERS: We've covered --
12 Tony, I think you've covered most of the remaining
13 questions except how many residences will -- will
14 be -- are located on the exis -- the post line in
15 the borough?

16 MR. TARQUINIO: Single families,
17 we just added -- we just added one. There are nine
18 single families. The rest are either
19 multifamilies, commercial -- I mean, mixed use.

20 MR. ANDERS: Are those single
21 families going to be required to hook up?

22 MR. TARQUINIO: In the current
23 plan, yes. If there's something we can do going
24 forward, you know -- if at the end, everyone's
25 required to hook up to make the payments. So if we

1 find right now we're getting other people that
2 would be maybe one house over asking to hook up,
3 then we would like to make it optional for the
4 single families.

5 But, I mean, until we get --
6 that's another question for two years from now or
7 three years from now. At this point the plan has
8 every -- 284 EDUs, which includes those. So at
9 this point, you know, that is the plan.

10 MR. SPATZ: So to weigh in on
11 this a little bit, 'cause Westfall's kind of
12 looking at this right now, there's -- ultimately
13 this plan does not make anybody hook to anything,
14 this is just a plan. I kind of try to liken this
15 to -- I'm gonna go back and I hope it's not
16 oversimplified, but there's a lot of times I will
17 make plans. Like if you made plans to go on
18 vacation this year, you might not have actually
19 done that, but you made plans. Just because you
20 have you a plan in place, doesn't mean it all
21 unfolds exactly how your plan is.

22 And in -- in regard to the sewer
23 system and connections, this plan does not make
24 anybody hook up. What makes people hook up is a
25 mandatory connection ordinance and in that -- that

1 ordinance is not drafted for the borough. It is
2 contemplated in the plan that the municipalities
3 would have a mandatory connection ordinance because
4 you can't build anything and have no -- if you
5 don't have anybody connect. You have to have a
6 certain number of people to connect to the system,
7 you just can't build it and not have people
8 connected in one way, shape or form.

9 So as that gets further down the
10 line and the financing comes together, mandatory
11 connection ordinances don't necessarily need to be
12 draconian and it's all or none. Westfall is
13 looking at some options, so they already -- the
14 supervisors already looked at a mandatory
15 connection ordinance along the new extension for
16 all new developed properties. They didn't adopt it
17 yet, but they are open to that, they talked about
18 it at a meeting and said that they would -- they
19 affirm that they would go that direction.

20 But we're also gonna talk to
21 them about the existing commercial properties along
22 the route because once you start really drilling
23 into the f -- the funding aspects of it, you start
24 to really understand why mandatory connections make
25 sense, because you need them to get financing in

1 one way, shape or form or you're gonna need
2 agreements with each -- with each -- with each
3 property owner along the route, which is very
4 difficult. And then the enforcement of any private
5 agreement like that is -- is very tricky as well.
6 So that's where that comes in.

7 So as -- as the borough gets
8 farther down the line after, you know -- again,
9 this is just a plan, doesn't make anybody connect,
10 this is just a plan of what we're looking -- you
11 know, what the borough's looking to do. As it's
12 starting to drill into its funding options and --
13 and looking where things are going with grants and
14 things of that nature, that's where we can say, at
15 least I think was what Frank was alluding to that,
16 hey, if things are going well and we -- you know,
17 do we really need the nine properties, can we get
18 some flexibility there for the nine residentials,
19 things of that nature; but that's a conversation a
20 little bit further down the line.

21 MR. ANDERS: Tony and folks,
22 thank you.

23 MR. MAGNOTTA: You're welcome,
24 Marshall. Thank you.

25 MR. ANDERS: I'll sign out now.

1 MR. MAGNOTTA: Have a good
2 night.

3 MR. ANDERS: You too.

4 MR. TARQUINIO: Laurie, if you
5 want to open up to other people's questions at this
6 point?

7 MS. DiGESO: Uhm, I --

8 MR. TARQUINIO: Comments, I'm
9 sorry. Comments, I should call them.

10 MS. DiGESO: Yeah, there aren't
11 any other comments in the chat.

12 So, people, if you have
13 comments, please place them in the chat. I know
14 there was a question about where the homes, the
15 nine homes, the single family homes actually are
16 gonna be located along that plan?

17 MR. TARQUINIO: They're
18 scattered. Some are on Broad and some are on
19 Harford Street. So it's not like they're all right
20 together.

21 MS. DiGESO: Okay. If there's
22 any other questions, feel free to raise your hands
23 or put it in the chat. Okay.

24 Mr. Kiger has questions, let me
25 just unmute you.

1 Bill, I think you might be
2 hooked -- you might have -- be muted yourself.

3 MS. DiGESO: Yep, you just have
4 to --

5 MR. TARQUINIO: Your phone.

6 MS. DiGESO: -- press the
7 unmute. There you go.

8 MR. TARQUINIO: There you go.

9 MR. BILL KIGER: Are we good?

10 MR. TARQUINIO: Yep.

11 MS. DiGESO: Yep.

12 MR. BILL KIGER: Okay.

13 MR. TARQUINIO: Bill --

14 MR. BILL KIGER: Bill Kiger.

15 MR. TARQUINIO: -- excuse me.

16 If everyone -- excuse me. If everyone can identify
17 themselves for the court recorder, your name, your
18 full address and whether you're a resident, a
19 nonresident.

20 MR. BILL KIGER: All right.

21 MR. TARQUINIO: Thank you.

22 MR. BILL KIGER: Bill Kiger --

23 MR. TARQUINIO: We know you,

24 Bill, but we --

25 MR. BILL KIGER: -- K-i-g-e-r,

1 600 Seventh Street. I am a resident.

2 Hi, everyone. Here is where I
3 am after two Zoom sessions and I know you have a
4 little bit to go tonight. We've had as many
5 comments and questions as this format allows, but
6 not nearly enough answers, nor a fair appraisal of
7 the borough's commercial district without sewers.
8 Look, I am not against sewers, because they do have
9 a function. I'm not just convinced that they make
10 Milford better. Nor am I satisfied that there is a
11 strong justification for them.

12 Zoom is certainly not the ideal
13 forum to discuss this, but I am -- I am encouraged
14 by Attorney Anders' suggestion -- and he represents
15 Pike Citizens For Responsible Growth -- his
16 suggestion for forming a joint citizens advisory
17 group to study, probe and monitor this process.
18 This is not a war, as the newspapers suggest, it is
19 an issue debate and the public should be at the
20 table.

21 There are many assumptions to be
22 corrected on both sides. This kind of back and
23 forth across the table, ongoing dialogue, will make
24 your decision a better one and we'll all be a
25 better community for it. Let's do this together,

1 please give the joint advisory group suggestion,
2 made up of informed councilmen and concerned
3 engaged citizens, please give it your utmost
4 consideration.

5 Thank you.

6 MR. TARQUINIO: Thank you, Bill.

7 MR. DiGESO: Fred Weber --

8 MR. BILL KIGER: Thank you,
9 Frank, for basically saying you will give it
10 consideration.

11 MR. MAGNOTTA: Thanks, Bill.

12 MR. BILL KIGER: Yep.

13 MS. DiGESO: Fred Weber has some
14 comments.

15 MR. FRED WEBER: Yeah, Hi. Fred
16 Weber, Milford Borough, 315 West Ann Street, and
17 I'm gonna try and keep my head still tonight, let's
18 see it if that works, help out our stenographer.

19 So, you know, I've gone through
20 this Act 537. And the first thing I came across,
21 'cause it's right up front, is in the executive
22 summary, page one, second paragraph, where we come
23 to this conclusion. An evaluation of existing
24 on-lot disposal systems, O-L-D-S, throughout the
25 study area indicated that there is a need for

1 improved wastewater disposal in Matamoras Borough,
2 Westfall Township southwest, Milford Township east,
3 Milford Borough. The results of these surveys are
4 included in Chapter 3. The map summarized the
5 results of -- the surveys are included, in Appendix
6 G. The complete summary of the results of the
7 sanitary survey are presented in Appendix F.

8 So after this conclusion, if I
9 look at the data and Table 3.3, which is page 3
10 dash 10 where a hundred and twenty-three borough
11 properties were surveyed, it was found that 5 were
12 failures. But if we really look at this number,
13 what do we find? We find that in Appendix G, if
14 you look at one of the failures, it's actually in
15 the township, two of them are behind Apple Valley
16 along the Route 6 corridor. That leaves two in the
17 commercial district, which is proposed for central
18 sewage. I'm assuming that the two residences have
19 remedied their situation.

20 So how this constitutes -- how
21 two fails constitute a need for improved wastewater
22 disposal, I don't know how you justify that. Okay?
23 It's not -- certainly not by the data that I've
24 looked at. The physical marked lots that were
25 surveyed in Appendix G also don't match Table 3 dot

1 3. I counted those dots twice and there's only 93
2 of them, so I don't know how you square that.
3 Probably somebody should look at it.

4 Looking at the soil analysis,
5 there's nothing there to indicate any sort of issue
6 with the OLDS systems in the borough, unlike what
7 was presented last night at the comprehensive plan.
8 There have been no ground failures, and that's
9 according to the DEP. We arguably sit on the best
10 filtration system in Pike County.

11 There has been no economic
12 impact study to indicate any sort of issues -- I'm
13 sorry. There's been no economic impact study for
14 those businesses that do not require central sewage
15 in the business district nor a traffic study and
16 what this will do to those establishments over the
17 prolonged installation period. In the borough's
18 FAQ's document, posted on their webpage, is the
19 following statement:

20 Today 41 properties in our
21 commercial district produce 25 percent of the
22 borough wastewater, 35,000 gallons daily;
23 12,775,000 yearly. And some cornerstone businesses
24 spend tens of thousands of dollars pumping their
25 sewage each year.

1 Right, probably the two that
2 failed. So what we know is that probably two or
3 three cornerstone businesses are producing 90
4 percent of that gallonage. So there are 38 to 39
5 properties who don't need central sewage, but are
6 gonna be forced to connect and bear the additional
7 expense.

8 So the other question that --
9 that this begs is, the two fails in the commercial
10 district, can they actually wait another six to
11 nine years for central sewage? What's their remedy
12 in between? They can't possibly continue to pay
13 tens of thousands of dollars for six years or nine
14 years. I'm sure the remedy would be a lot cheaper.

15 Lastly, the -- Tom Quick was
16 always used to highlight the need for central
17 sewage because they could not be sold. Well, if
18 you walk by there now, it's been sold, being
19 renovated, there's applications for a liquor --
20 application for a liquor license in the window.
21 Right? And it -- their septic system is more than
22 adequate. There's absolutely nothing that I found
23 in this Act 537 that's compelling for central
24 sewage, that that would be needed by the majority
25 of the business owners in the commercial district.

1 I think what we have here is the
2 borough council who's convinced that the only way
3 forward for the borough to thrive and grow in the
4 future is just basically trust us, this is what we
5 need because certainly none of the data backs up
6 the need for central sewage. And I think this
7 attitude is exemplified by a quote from the August
8 13 Pike County Courier where council president is
9 quoted with the following: The ultimate decision
10 rests with the council. And it continues. It also
11 would not be fair to have the majority of the
12 borough make that decision for others. And I
13 respectfully disagree.

14 Thank you.

15 MR. TARQUINIO: Thank you, Fred.

16 Just two corrections of facts.

17 One of which is, those 41 residences, it's not 2 of
18 them doing 90 percent, it is spread --

19 MR. FRED WEBER: But it's the
20 result of that --

21 MR. TARQUINIO: -- (inaudible).
22 There are another hundred -- there are another
23 hundred twenty that are not really con -- they're
24 contributing the rest of it, but --

25 MR. FRED WEBER: I think we can

1 -- I think we can agree that the majority of that
2 gallonage comes from a small percentage of that 41.

3 MR. TARQUINIO: No.

4 MR. FRED WEBER: Well, how many
5 then?

6 MR. TARQUINIO: But that's --
7 all right. Forty-one, it comes from the forty-one.

8 MR. FRED WEBER: Right, but the
9 maj -- the majority of that gallonage does not
10 come --

11 MR. TARQUINIO: That's fine.
12 Yeah.

13 MR. FRED WEBER: Okay.

14 MR. TARQUINIO: That's a
15 correction. And I'm certainly glad we want to have
16 an attitude of not fighting, but --

17 MR. FRED WEBER: Right.

18 MR. TARQUINIO: -- going
19 forward, Laurie, who else would like to talk?

20 MR. SPATZ: I wanted to put in
21 one thing. You can't just look by the confirmed
22 malfunctions --

23 MR. MAGNOTTA: Who's --

24 MR. SPATZ: -- suspected
25 malfunction.

1 MR. MAGNOTTA: Okay. Mark, go
2 ahead.

3 MR. SPATZ: Sorry. This is Mark
4 Spatz.

5 MR. MAGNOTTA: Okay. Thank you.

6 MR. SPATZ: You can't just go by
7 the confirmed malfunctions. A suspected
8 malfunction is -- and it -- it's neither bad nor --
9 but it's not good either. Cesspools are old
10 systems. Commercial properties on cesspools can be
11 problematic. And I think the big thing you gotta
12 keep in mind, that this is a plan that takes a long
13 time to go through a public process; that it takes
14 a long time to figure out, it -- you know, once
15 you're ready to implement and start moving the plan
16 forward.

17 And if you don't have the plan
18 in place, you didn't even get off the ground, and
19 that -- if you do have properties, residential or
20 commercials, that have failed systems, that -- that
21 don't have a public sewer alternative, because
22 planning didn't even start, they didn't even go
23 down this road. So, you know, three years from now
24 some -- and -- and they can't remedy their system,
25 they either have -- they have basically two

1 options; they deal with the cost of pumping or they
2 shut down the -- the property for the use, whatever
3 that is. And in some cases that's -- can be a
4 residential property being condemned.

5 Whereas if you have planning in
6 place, at least -- at least that step is done
7 because it doesn't happen fast. We've been working
8 on this for over a year, and it's going to take
9 another year till the -- the plan's approved by the
10 department, I would guess. So it's just one of
11 those things that, I guess from my standpoint, from
12 seeing communities go through this again and again,
13 to have a plan in place of -- if -- if and when we
14 need this, what would this look like, that's what
15 this is. It doesn't necessarily mean that it's
16 gonna be here tomorrow, it takes a long time.

17 And I guess when you weigh that
18 against some communities that do get into bad
19 situations where, if you're on-site systems fail
20 and with your -- when you're in the country, and in
21 -- in a township, properties typically have some
22 space. So they typically can find like a secondary
23 or a third location to do their on-site sep --
24 septic systems, but when you're in a borough
25 scenario, properties are tight. So there's not a

1 lot of room and it's usually the --

2 You know, a lot of times, it's
3 -- it's the system you've got; and if that fails,
4 you're -- and pumping and pumping is extremely
5 expensive, so it can be really tough on a business
6 and a residential. It can be tough on a
7 residential too, 'cause it's, you know, an income
8 source. So I think that weighs into it, just from
9 my experiences with other municipalities, that's a
10 lot of -- a lot of time what they're going through
11 with this.

12 MR. TARQUINIO: Thanks, Mark.

13 Somebody else?

14 MS. DiGESO: Tricia Lutfy.

15 MR. TARQUINIO: Trish.

16 MS. TRICIA LUTFY: Hi. Tricia
17 Lutfy, 123 Renwood Court, Milford. And I'm not a
18 resident of the borough, but I have two commercial
19 properties that would be in the mandatory hookup.
20 I think I would direct the question more to Mr.
21 Spatz.

22 And I -- I'm listening to what
23 you're saying. One question is, how many cesspools
24 are in the commercial district? 'Cause you
25 referred to those a couple of times. That's

1 question one, how many cesspools are in that
2 commercial district?

3 And I know you -- you know,
4 you've said that -- the planning needs to be done,
5 which I can respect and it doesn't require anyone
6 to hook up, we're just making plans. And as we
7 well know, in 2020, plans may not happen; but back
8 to the fact that it needs to be technically and
9 economically feasible, I would imagine that there
10 is going to be a mandatory connection ordinance, so
11 I think it's academic to -- to -- to dis -- you
12 know, to sort of say that's not the road you're on,
13 if you're making the plans.

14 And I -- you know, so I keep
15 getting back to the same thing. Like I understand
16 if this is a necessity, but I'm failing to see
17 proof of that in the documents that I've read or --
18 and I'm -- you know, obviously maybe I'm missing
19 something, but either the documents I've read or
20 the multiple and quite a long time attending the
21 meetings that I could.

22 So if you would just address
23 those.

24 MR. SPATZ: So from, as far as
25 I'm aware, all the on-lot systems within the

1 commercial district are cesspools.

2 MS. TRICIA LUTFY: Okay.

3 MR. SPATZ: We didn't survey all
4 of them, but I don't -- I'm not aware of like
5 elevated sand mounds or leach fields within the
6 borough, in the -- specifically in the commercial
7 district or anything. So I would -- I would
8 imagine all of them are. I think most of the
9 borough is all cesspools. So that -- that was that
10 question, so specifically for the commercial
11 district.

12 Yes, when it comes to the
13 mandatory hookup, what I was trying to relay is
14 that I think there may be some flexibility when the
15 time comes for the residential, the nine
16 residentials or whatnot along the route, but we'll
17 see. You know, that's -- that -- the borough will
18 need to cross that bridge when they get there, but
19 absolutely for the commercial area, if we're
20 extending -- if we're extending public sewer into
21 the commercial district, for the commercial
22 district, then the commercial district will need to
23 connect.

24 You can't expe -- you can't --
25 you can't build the system and then say, yeah,

1 nobody needs to connect, don't worry about it,
2 'cause you're gonna have -- here's how the project
3 works, it's like buying a car --

4 MS. TRICIA LUTFY: I'm clear
5 about that, I just --

6 MR. SPATZ: Okay.

7 MS. TRICIA LUTFY: I mean, I
8 don't need to be -- yeah. I'm clear.

9 MR. SPATZ: Okay.

10 MS. TRICIA LUTFY: And that's
11 why I'm saying it's misleading to say otherwise, in
12 my opinion. Like you can make plans and it might
13 not happen, no. You're making plans, they're gonna
14 happen. I'm gonna have to hook up, I have no need,
15 so --

16 MR. SPATZ: Yeah. And I think
17 the big thing is, I -- I -- I -- there may be
18 properties along the route that currently don't
19 have a need, that maybe has -- will not have a need
20 in the future. It -- it's gonna be a mixed bag, of
21 course.

22 MR. TARQUINIO: Laurie, anybody
23 else?

24 MR. SPATZ: Was there -- did I
25 answer all your questions? I thought there was

1 three. What was the third?

2 MS. TRICIA LUTFY: No. I mean,
3 that's the general gist of it, is when -- when
4 you're saying like -- it just seems a little
5 misleading and I feel like, yeah, I'm gonna be
6 required to hook up when I have no need and I'm not
7 convinced that it's because my neighbors in
8 preponderance have a need, which is -- which is
9 something that I can buy into, but that's not --

10 MR. SPATZ: So here -- here's --
11 so I think you gotta flip it, think of it the other
12 way. What happens in -- in -- and I'm not -- this
13 is a -- this is a realistic thing because this --
14 this is how it works. Nobody has a need until they
15 have the need and then if you don't have a
16 secondary alternative, now what are you gonna do?

17 It -- it -- so it -- I can
18 respect that you don't have a need, but nobody
19 thinks they have a need until they -- until the day
20 they do. And then you're -- Matamoras has had
21 trouble with this, that they had to condemn
22 properties because they had on-site failures that
23 they could not -- they could not remedy, so they
24 were they like -- they couldn't have the property
25 -- have a use in it, sustained use anymore, that

1 had a -- that had a bathroom or a water demand,
2 they could use it for something else like parking,
3 but --

4 MS. TRICIA LUTFY: I understand
5 that. What -- what I'm gonna just add, Mark, is
6 that I think that you've done a lot of work on a
7 study and what I'm understanding from it, I'm not
8 an engineer, doesn't convince me. And I'm very
9 open to be convinced that there's bad planning or a
10 need that's imminent in the borough of Milford.
11 And I'm saying for current needs, like if -- if
12 it's -- if it's really about future economic
13 development, then that should really be a lot more
14 forthright in the council's vision on this, if it's
15 really about the need and the failures or the
16 potential failures or, you know -- I -- I just --
17 I'd love to be convinced, I really would.

18 MR. SPATZ: So -- so to help
19 with that and I think it might be a little bit of a
20 -- it might be a little bit of anomaly in the area,
21 but, you know, we work throughout the entire state,
22 right? And multiple states. And boroughs such as
23 Matamoras and Milford, if I would go to my
24 colleagues or peers, they would never think they
25 don't have public sewer at this point, most

1 municipalities. And that's not just because there
2 hasn't been need, that's because there has been
3 need.

4 A munic -- a borough -- when you
5 get to a -- a density, such as a borough, you
6 typically start to see on-site systems start
7 failing. If you wouldn't be on a public water
8 supply, we wouldn't -- this -- this would've
9 happened years ago, because the ground water
10 issues.

11 MS. TRICIA LUTFY: And that may
12 be true, but I don't think that you can compare
13 Milford Borough to Matamoras, I think that they're
14 -- they're very separate as to how they're
15 responding in this way, even from a geological
16 perspective, from what I understand. Again, not an
17 engineer.

18 MR. SPATZ: Yeah, I think just
19 from the engineering standpoint, I guess -- and
20 you're welcome to talk to others in the department.
21 Now when we see cesspools, you wanna have a backup
22 option. That's -- that's the general rule of th --
23 that's the general guide. So when you -- when we
24 say, hey, there's no -- the study doesn't show a
25 need, yes, it does, there's cesspools throughout

1 the entire area, you should have a backup option.
2 Cesspools are not known for lasting forever, they
3 -- you -- if you said to the SEO today, hey, I'm
4 gonna build a new property, I'm just gonna do a
5 cesspool, you're not allowed to. Why? Because
6 they fail, that's why.

7 So having the entire area,
8 they're -- they -- they -- again, they're
9 suspected, we don't know one way or another, not
10 confirmed failures, so that's good. And hopefully
11 that's the geologic condition that, you know, we're
12 seeing as sandy loams and things of that nature.
13 Hopefully that will continue, that's -- that's what
14 the borough's plan is, right, for the residential
15 areas. We hope that that will continue. We hope
16 people will continue to pump their systems and be
17 responsibility because maintenance -- just like
18 your car, if you maintain your car, it lasts
19 longer; if you don't, it's not gonna last.

20 So we're hoping that on the
21 residential areas, but in the commercial district
22 and for if -- if residential areas start to fail in
23 the far of the future, 20 years, 30 years down the
24 line, that we at least have another alternative.
25 And that's -- is responsible from, I guess, the

1 civil engineering standpoint, and you're welcome to
2 talk to other civil engineers. When you have a
3 community that's almost all cesspools, you know,
4 should you have a backup option in place? From our
5 standpoint and from our experience is, yes.

6 And again, the department gonna
7 review this as well, the DEP, so they'll weigh in.

8 MS. TRICIA LUTFY: Thank you.

9 MR. BILL KIGER: Laurie, I have
10 a question. I'm sorry --

11 Are you finished, Trish?

12 MS. TRICIA LUTFY: I'm good,
13 Bill.

14 MR. BILL KIGER: Yeah, Mark, I
15 keep thinking -- you keep saying that cesspools, if
16 they fail, they fail and it's -- nothing you can do
17 about it.

18 MR. SPATZ: Not that --

19 MR. BILL KIGER: Well, that
20 doesn't seem to be -- that doesn't seem to make
21 sense. I fixed my cesspool and I haven't had any
22 trouble with it in years. So can you back --

23 MR. SPATZ: I -- I don't wanna
24 give that impression. No, cesspools can be
25 remedied, it's just not, you know -- something not

1 -- not always -- not all the remedies always work.
2 There's confirmed failures within the borough that
3 hopefully those can be remedied.

4 MR. BILL KIGER: Thank you.

5 MS. DiGESO: George Lutfy has a
6 comment.

7 MR. TARQUINIO: George?

8 MR. GEORGE LUTFY: Yeah.

9 Hey, thanks, Mark. Question to
10 --

11 MR. TARQUINIO: George, I'm
12 sorry, you're gonna have to identify yourself, but
13 --

14 MR. GEORGE LUTFY: Oh, yeah.
15 George Lutfy, 137 Sawkill Avenue, Milford Borough.
16 All right.

17 So what is the lifetime of your
18 average cesspool, if -- this is for Mark -- if you
19 had to, you know, take a guess?

20 MR. SPATZ: Man.

21 MR. GEORGE LUTFY: I mean, there
22 is an expiration date on a cesspool at some point,
23 I imagine?

24 MR. SPATZ: Yeah. Yeah, I mean,
25 ult -- ultimately the little, you know -- the

1 little voids within the soils that the water
2 leaches throughout ultimately can get clogged.
3 It's really gonna depend on how diligent the folks
4 are for pumping their system and -- and there's
5 some bacterial things you can do, you know, on an
6 annual basis, if people are super diligent with
7 that. They can last a long time, honestly.

8 MR. GEORGE LUTFY: But a very --

9 MR. SPATZ: My honest opinion --
10 honestly fr -- honestly, cesspools aren't -- don't
11 do as great as people think they do. So --

12 MR. GEORGE LUTFY: No, I mean,
13 that's part of my point is -- so there's an
14 expiration date on the cesspool. I'm gonna assume
15 a lot of the cesspools on the lines that you're
16 proposing are getting close to that age, so it be
17 interesting to -- yeah, maybe, maybe not.

18 MR. SPATZ: Yeah, we don't
19 really know, it's --

20 MR. GEORGE LUTFY: It be
21 interesting to know how old these cesspools are,
22 also the cost of hooking up to the line and -- or
23 the cost of replacing the cesspool, see how those
24 balance out. I think if people knew that
25 information, this may or may not look better to

1 them.

2 MR. SPATZ: Yeah, and a lot of
3 --

4 MR. GEORGE LUTFY: Figure your
5 cesspool's 30, 35 -- 30 years old, you know, you're
6 pushing the upper limit, I imagine, of the
7 cesspool.

8 MR. SPATZ: So what's -- what's
9 tough is, the cesspool, you can do -- there is no
10 replacement.

11 MR. GEORGE LUTFY: Um-hmm.

12 MR. SPATZ: Right? You can't --
13 you can't say, oh, I have a cesspool here, I'll
14 just put one over here, you're not allowed to --
15 cesspools are not allowed anymore by the
16 department, your SEO won't let you build a
17 cesspool. And there's -- and there's -- you gotta
18 kind of follow these questions of, well, why can't
19 I do another cesspool? Ah, there's a reason.
20 Because they weren't -- they're not that great.

21 So the department doesn't allow
22 them and if -- if that's a -- and -- and a lot of
23 times we're in these meetings, I've been in these
24 meetings before, where it's like, well, I take
25 exception to that. Well, then that's a -- then

1 take exception of what the -- the Department of
2 Environmental Protections, I'm sure they have
3 literature on how they come to that conclusion.

4 MR. GEORGE LUTFY: All right.
5 So say --

6 MR. SPATZ: The other --

7 MR. GEORGE LUTFY: -- someone
8 needed to replace their septic, what would they --
9 what would they do now to be in accordance with
10 those regulations? And then just a wild guess on
11 the cost estimate.

12 MR. SPATZ: So you would need --
13 you would need either a leach field, which is a 20
14 by 20 space, with no building over it, at a
15 minimum. In your -- in the borough, I wanna go --
16 let's just go with the assumption that the soils
17 are good enough for leach fields, so that would
18 require that kind of space. Many scenarios you
19 don't, you know, you can't meet the -- you need to
20 have two feet of a certain type of soil for the,
21 you know -- for the water to go through the pipes
22 and then leach down through the soil into -- into
23 the ground for a leach field.

24 If you don't have that good
25 soil, then you'd have to do an elevated sand mound

1 and I think people generally know what those look
2 like. I mean, those are -- those can be 30 feet
3 long, 20 feet wide. And that's where you really
4 get into a bind in the -- in a borough scenario.
5 It's like, well, I don't have space for that, it's
6 like, well, what's my alternative?

7 MR. GEORGE LUTFY: Yeah.

8 MR. SPATZ: You can't do a new
9 cess -- so you can -- so a lot of times, if you're
10 having cesspool issues, what you can do is remedy
11 -- hopefully remedy it with some bacteria
12 treatments and some chemicals you can -- you can
13 add in. And again, that's -- that's gonna be a
14 property by property scenario. Whether that works
15 or not, I liken it to like a -- if you ever had a
16 tree that's dying of an invasive species, people
17 will come out and say, hey, you can spend \$400 a
18 tree and put these chemicals in. Do I know it's
19 gonna work? Not until you do it and see if it
20 works. And that's the same thing.

21 So you can go through some
22 remedy conditions on that and hopefully they work
23 and that's the -- the responsibility of the SEO, to
24 help property owners through that.

25 MR. GEORGE LUTFY: Yeah, I guess

1 my point was like that there is an inherit cost to
2 having a cesspool and there is a lifetime on it and
3 that might -- you know, that information, if there
4 was a way to put an age on these -- the existing
5 ones, I don't know.

6 MR. SPATZ: Yeah, I see what
7 you're saying.

8 MR. GEORGE LUTFY: Yeah, so to
9 make it this -- an easier bullet to bite for
10 people, but, okay. And then also you've done a few
11 of these, have you seen, you know, an increase in
12 industry based off of this -- 'cause I feel like we
13 have a problem with retaining educated individuals.
14 We spend a lot of money on school taxes and not
15 many people come back here.

16 MR. SPATZ: So the -- I don't
17 know about retention of folks, but obviously it
18 helps with -- I mean, prop -- prop -- property
19 value goes up with public sewer. So --

20 MR. GEORGE LUTFY: Well, I meant
21 the -- the having the infrastructure in your
22 previous plans, when you checked back in, did you
23 see anything of that nature?

24 MR. SPATZ: For property values
25 going up or for retention info?

1 MR. GEORGE LUTFY: No, no, not
2 property values, for like being able to support.
3 So you're gonna have that trunk line going through
4 Westfall, or whatever there, like then you could
5 support business, is that a thing you've seen or is
6 that --

7 MR. SPATZ: Well, yeah, yeah. I
8 mean, there's a reason -- there's -- there's a
9 reason there's the commercial districts in
10 Westfall.

11 MR. GEORGE LUTFY: Okay.

12 MR. SPATZ: It's 'cause of
13 public sewer. Without public sewer that wouldn't
14 be there.

15 MR. GEORGE LUTFY: Gotcha. Just
16 someone else said Tom Quick's applying for a liquor
17 license, I believe they've had a liquor license
18 this whole time also and -- but that's it for me.

19 MR. TARQUINIO: David -- I'm
20 sorry, Dave Chant, you had a --

21 MR. DAVIS R. CHANT: Yes. Could
22 I make a couple comments?

23 MR. TARQUINIO: Yeah,
24 absolutely. Could you just identify yourself for
25 the --

1 MR. DAVIS R. CHANT: It's Davis
2 R. Chant, 106 East Harford Street, here in Milford,
3 Pennsylvania 18337.

4 I -- I would -- just a couple
5 things that come to mind. One of the them is, I
6 started selling commercial real estate on Harford
7 and Broad Street in the mid 1960s. I'm just trying
8 -- not sure that I could identify which one was
9 first, but in any event, I -- I could say that over
10 that period of time, 56 years or so, that I have
11 had hundreds of people that I've shown property to,
12 on Harford and Broad Street, that were commercial
13 buyers, that were very clear to say, no central
14 sewer, I wouldn't touch it with a 10 foot pole, I'm
15 not interested in -- in -- in getting into
16 something that might not work.

17 Well, I was always standing up
18 for it and say, well, it does work. I mean, my
19 office building has a cesspool and the (inaudible)
20 Inn or the restaurant, or whatever the case may be;
21 but I would tell you that -- that the reaction of
22 people, they could not believe -- and I'm not being
23 critical of our town, I love this town, but they --
24 but people were critical of this town from a --
25 from a real estate, commercial real estate

1 standpoint that we didn't have central sewage and
2 they -- they didn't believe it. And why not?
3 You've got a river down there and you've got this
4 and that and the other thing. So anyway, I've
5 dealt with that.

6 Well, when this issue started to
7 evolve in the last year or so, I took the
8 opportunity to write -- to write to three of the
9 leading appraisers in the tristate area. And I
10 told them that I would like, for my own purposes, I
11 would like to know what their thoughts would be in
12 reference to central sewage being made available
13 for the commercial Harford and Broad Street in
14 Milford. And I would not mention to anyone who
15 their names were.

16 And those -- not the next day,
17 but within a week or so, I got an answer from those
18 three appraisers and one of them was an MAI, which
19 would be one of the significant appraisers in the
20 United States. And the comments on all three were,
21 well, of course, central sewer would enhance the
22 value. So I'm just saying that just strictly from
23 a business standpoint, that there will be some
24 enhancement of value by having this central sewer
25 here. Now, it's gonna overcome potential issues

1 that we would've had.

2 Now, last night I -- I atten --
3 I was on the -- the Zoom event for our Milford
4 Borough Comprehensive Plan and one of the most
5 interesting things in it, in that presentation last
6 night, two hours -- and I'm sitting here in my same
7 seat, with my American flag behind me and I -- but
8 the -- the comments were made about senior housing
9 or housing in the Borough of Milford in -- in some
10 existing locations on Harford and Broad Street.

11 And I wasn't really thinking
12 about tonight and I wasn't really thinking about
13 the sewer -- the central sewer. I was just
14 thinking about how wonderful it would be if the
15 down -- if this town could be shared with more
16 people because really we're not gonna build any
17 more single -- I don't mean any more, but there
18 won't be many more single family houses built
19 because we don't have the land for it, it's pretty
20 much what it is.

21 But there are some buildings
22 here on Harford and Broad Street that could
23 possibly be enhanced in some historical way to
24 allow more residential struct -- more residential
25 uses in those buildings; and if they were, you

1 know, then obviously the central sewer that we're
2 gonna be installing would benefit the town, because
3 the addition of a bathroom or a couple of bathrooms
4 and a kitchen, and so on and so forth, for a number
5 of units in an older building would be it.

6 But I was delighted to see that
7 -- that was part of the -- the -- the study for the
8 comprehensive plan, the possibility of creating
9 more and converting existing buildings into more
10 usage that could be apartments or living quarters
11 for seniors who wanted to live in this town, walk
12 around the main street in this town, see the
13 events, go to the stores, or whatever the case may
14 be.

15 Thank you very much.

16 MR. TARQUINIO: And a survey did
17 show -- the surveys for the comprehensive plan did
18 show that the majority are still the same as the
19 2006. The majority of residents that took it, are
20 in favor of central sewage for the commercial
21 district.

22 MR. JON KAMEEN: I have a quick
23 comment.

24 MR. TARQUINIO: Sure.

25 MR. JON KAMEEN: This is Jon

1 Kameen, 110 Rimrock Court, Milford, Pennsylvania,
2 not in the borough.

3 In response to Trish Lutfy's
4 question, Mark said that there were no elevated
5 sand mounds or leach fields in the commercial
6 district and I just think it's dangerous to make
7 blanket statements. Just off the top of my head, I
8 know that Wayne Bank, NBT Bank, Citizens Bank,
9 Dunkin Donuts, the library, the Harford House,
10 Spoonful, Turkey Hill and Pike County Insurance all
11 have either leach fields or elevated sand mounds.

12 MR. TARQUINIO: I think Mark
13 said he wasn't sure, he had not done a survey
14 himself, he just was presuming, yeah. But you are
15 right.

16 MR. JON KAMEEN: When was the --
17 when was the last time the DEP allowed cesspools to
18 be an acceptable disposal?

19 MR. SPATZ: I don't know. It's
20 a long time.

21 MR. FRED WEBER: 1970.

22 MR. TARQUINIO: It's -- yeah.

23 MR. JON KAMEEN: Sorry, was
24 there an answer there?

25 MR. FRED WEBER: Yeah, 1970.

1 MR. JON KAMEEN: So anything
2 built in the commercial district, in the last 50
3 years has either an elevated sand mound or a leach
4 field?

5 MR. SPATZ: Or they didn't have
6 a sewer increase and just using the on-site.

7 MR. JON KAMEEN: Okay.

8 MR. SPATZ: I'm not really sure.

9 MR. JON KAMEEN: I think it
10 would be of some value to this council to see how
11 many properties within the commercial district have
12 recently spent money on their on-lot system that
13 will be then forced to be obsolete, 'cause I know
14 that several buildings in the commercial district,
15 I've seen work done on their septic systems within
16 the past two years.

17 MR. TARQUINIO: Noted. Jon,
18 thank you.

19 MS. DiGESO: Mayor Strub. Mayor
20 Strub, please.

21 MAYOR STRUB: Sure. I guess I'm
22 unmuted. You know, I wanted to sort of explain
23 sort of my thoughts on this, in terms of why this
24 is important for the community.

25 I understand there are

1 businesses that have sort of an immediate,
2 relatively immediate pressing need that they have
3 -- they have significant costs in dealing with
4 their challenges right now. There is -- you know,
5 there have been systems that fail or have problems
6 and -- and, you know, get solved in various ways
7 that are not necessarily satisfactory. I've had at
8 least three or four systems in the commercial
9 district and properties of mine that in two cases
10 were preplaced entirely and in two cases required
11 -- three cases required pretty significant
12 investment to repair them.

13 But that isn't my primary reason
14 why I support this. I think it is something about
15 the long-term availability of our commercial
16 district and how critical that is for the quality
17 of life for -- for those who live and work and
18 visit Milford Borough. We are in -- in an
19 environment -- commercial environment, for these
20 small towns, it's very different than it was 30 or
21 40 or 50 years ago where the -- the critical mass
22 of what you need to have a successful commercial
23 district is different than it once was.

24 You know, we don't live in a
25 time where a small town like this has a shoe shop

1 and a little bakery and a little this and a little
2 that. All these little, you know, businesses
3 serving a local community, they're not in these
4 small towns. You know, we've lost to the big box
5 stores and the malls and all the other kinds of
6 things.

7 So we need a strategy to have a
8 commercial district that can be viable going into
9 the future or we're going to have, you know, this
10 continued churning of shops, where people come and
11 they have an idea and they wanna open a great
12 little shop and they discover there just isn't
13 enough business in Milford to sustain it. So
14 they're there for a year or two and then they go
15 out.

16 We've seen a degradation of our
17 commercial district in terms of the type of retail
18 that we have in Milford Borough. We have every
19 reason to expect that that will continue unless we
20 do something different. And, you know, when I look
21 around and I see other communities across the state
22 and the ones that are thriving, are the ones that
23 have the strongest infrastructure. You know,
24 sewage isn't -- the central sewage isn't the only
25 thing we lack, you know, we have a very poor

1 electrical grid infrastructure. You know, our
2 telecom infrastructure has gotten better in the
3 last 20 years, but it still isn't where it needs to
4 be, to be fully competitive.

5 So, you know, to me, when we
6 bring in central sewage in the commercial district,
7 it allows more properties to be used for more
8 things. It will attract investment in this
9 community that is not coming here right now. And,
10 you know, while we've been fortunate, you know --
11 the Rosados bought the Tom Quick finally and
12 invested in that. Anybody speaking to the former
13 owner of the Tom Quick will learn that not having
14 central sewage was one of the single biggest
15 problems in trying to get that building sold.

16 I know from my own experience in
17 trying to find investors in the community that it
18 is a concern. I know that, you know, opening a bed
19 and breakfast or restaurants in some of these
20 properties is very, very difficult with the
21 existing systems that are there. And if we had
22 central sewage, it opens that up as possibilities
23 for us.

24 So, you know, it isn't, just to
25 me, about addressing an immediate urgent need with

1 failing systems, right? You know, that's certainly
2 a component. To me, it's what we want this
3 community to be at 10, 20, 30, 40, 50 years from
4 now. And I quote this often, but I think it's --
5 it -- we can't be reminded of it too often, which
6 is, that these small towns -- and, you know, Dick
7 Snyder used to say this all the time -- that, you
8 know, we're living in a time when they're changing
9 and they're either getting stronger or they're
10 getting weaker. They're either improving or they
11 are degrading.

12 And I have to say and I -- I
13 don't like to say this, you know, publically,
14 'cause I'm so proud of this community and promote
15 it so much, but I think our commercial district is
16 relatively fragile. And I think we see that in the
17 churning of businesses. We see that in the
18 degradation of some of our retail. We see that in
19 the difficulty in attracting new investment in this
20 town. And if we want to, you know, have another
21 generation of people here, 20 or 30 or 40 or 50
22 years from now, talking with such pride about what
23 a special place this is, then we need to think
24 about, how do we have a successful commercial
25 district in that time; how do we prepare ourselves

1 now to be competitive for that time.

2 And I think that, you know, 20
3 years ago, when central sewage was proposed and I
4 was a commercial property owner in the town at that
5 time as well, I was not enthusiastic about it,
6 because I was concerned that central sewage would
7 jeopardize our built environment in Milford, all
8 these historic buildings, many of which we have in
9 fact because we have not had central sewage
10 previously. So we didn't have the -- the
11 drive-thru restaurants coming in and tearing down
12 old buildings so they could, you know, put up their
13 -- their drive-thru that required a huge sewage
14 thing.

15 So I wasn't enthusiastic about
16 it at that time. That was one of the reasons that
17 the architectural review board was passed, was to
18 protect that built environment. We have those
19 protections in place, they're imperfect, but we
20 have them in place now. And I think that the
21 urgency of bringing central sewage to the
22 commercial district is greater today than it's ever
23 been and it will only increase over time.

24 Find me small boroughs in
25 Pennsylvania that have really thriving successful

1 central commercial districts that do not have
2 central sewage. I can't find one yet. They may
3 exist; and if someone knows of one, please let me
4 know, so I don't keep saying this, but I can't find
5 them. You know, I can't find them. So that's, you
6 know, my sort of motivation around this. You know,
7 I -- I care about this town a lot, I've invested in
8 this town a lot. I've invested a lot in -- in
9 in-ground septic systems that fortunately right now
10 are all working well.

11 Central sewage will cost me more
12 as a property owner, I acknowledge that; but I am
13 prepared to pay more for that because of what I
14 think it means for the borough long-term and
15 especially for those of us who are building our
16 lives and raising families here. We rely on having
17 a successful commercial district. If it isn't
18 successful, it's not gonna be nearly as nice a
19 place to live.

20 MS. DiGESO: Pete --

21 Oh, go ahead, Frank, I'm sorry.

22 MR. TARQUINIO: No. I think
23 there a couple of hands raised.

24 MS. DiGESO: Yes. Pete Cooney
25 would like to make a comment.

1 MR. COONEY: Yes. If they need
2 my information, of 112 Ninth Street, I'm borough
3 councilman.

4 I just want to say that we've
5 lived here for 27 years; and as far as trying to
6 compare a cost of sewage and what it takes to
7 maintain a cesspool or whatever, you can't even
8 compare, it's way more for the sewer per month. So
9 I don't think -- I don't think you can even say
10 that.

11 And number two, I'm not even
12 sure where I'm on this plan that we're voting for,
13 6F. I've heard different opinions whether I'm on
14 it, I'm right on the corner by Apple Valley. I'm
15 not sure whether I have to be in it or not. Maybe
16 Matt -- Mark can tell me for sure, right here on
17 the corner, Ninth Street, but, you know, whatever.

18 So the plan for 6F, what we have
19 to do is try to keep it as best for everybody, the
20 residents and the commercial district. That's --
21 that's my main concern. You know what I'm saying?
22 Now, this plan says nine houses, I think, you know,
23 we're gonna have to make sure that for those nine
24 people, that it's viable, you know what I'm saying?

25 So that's pretty much all I have

1 to say.

2 MR. TARQUINIO: I think it ends
3 at Elderberry Alley right now. So it does not go
4 up as far as you.

5 MR. COONEY: Yeah. Okay. But I
6 know that -- I think there's been some interest
7 further beyond here too. That's what I'm saying.
8 That's a gray area in this whole plan.

9 MR. TARQUINIO: Right.

10 MR. COONEY: There is several.
11 Even though we've limited it down to 6F, that plan
12 that we're specifically gonna be voting on, in
13 February or whatever. So that's what -- another
14 thing a lot of people gotta realize too, you know?
15 You know, we're gonna have to make it for both.
16 And I realize that with the commercial district, I
17 realize. I lived around here a long time, I know
18 everybody. So I realize the problems with the
19 specific businesses and actually -- so that's the
20 thing -- that's our main concern, as far as I'm
21 concerned, with this project right here.

22 We can talk about 40 years down
23 the road, we can talk about what happened 40 years
24 ago too; but we're only voting on 6F. You know
25 what I'm saying? So that's where gotta -- that's

1 what we gotta do, so --

2 MR. SPATZ: And the last two
3 comments, the one thing that comes to me and words
4 of advice for the future as well, when it really
5 comes to public sewer, one of the -- the main --
6 the main thing you have to watch is the costs,
7 right? You gotta keep -- make sure that the
8 projects are coming in, to the costs that you're
9 anticipating and that those costs are what your
10 community can sustain. You know what I mean?

11 And if at any point in time --
12 'cause we might not be involved, you know, it --
13 this could -- you know, you have the Milford
14 Authority, it could be other -- as long as you're
15 dealing with things of that nature. But you need
16 to make sure that you're keeping your eye on the
17 ball on that and if -- and if you get into a spot
18 where you can't afford it, then you hit the breaks
19 and say, well, this is not what we expected, this
20 is too much.

21 So, and you can -- you can look
22 for other granting options and things of that
23 nature, but what it really -- it always seems to
24 me, that communities -- what's the big concern
25 about public sewer? Money, cost.

1 So it's just keep your eye on
2 that ball, make sure it doesn't go out of -- you
3 know, get out of hand, that way that, you know, the
4 -- the co -- that backs into, you know, the reason
5 you're making these decisions is, with certain
6 numbers in mind, that you're saying, yes, this is
7 affordable for my community. You just gotta make
8 sure as the projects are taking its steps along the
9 way, that that's what it turns out to be
10 ultimately.

11 MR. COONEY: That's my point
12 about 6F. Right? Now, then we also have to --
13 like we disc -- think about people that are close
14 to 6F, whether they -- they're gonna wanna get into
15 the system. So that's the big -- in my opinion,
16 that's the biggest thing about this project, that
17 you really don't know, is like, who wants it, you
18 know, comparatively speaking. But if we're voting
19 on that 6F, it's only those nine people, the
20 residents, you know, beside the commercial. So to
21 me, that's the biggest point.

22 Thank you.

23 MS. DiGESO: Dakota Hendricks
24 has a comment.

25 MR. DAKOTA HENDRICKS: Yes.

1 Dakota Hendricks, Milford Township resident, 162
2 Pine Acres Lane.

3 Mark, my question's for you.
4 We've heard a lot of people commenting on how
5 effective central sewage is bringing in businesses
6 into the community. Can you talk a little about
7 the projects that you've seen move into Westfall
8 after they got this central sewage? It seems like
9 we got big box retailer, some restaurant growth,
10 anything else that I'm not aware of?

11 MR. SPATZ: Yeah. I mean, just
12 the whole gamut of stuff. You have restaurants and
13 a lot of -- yeah, there's a lot of big boxes in the
14 area. We weren't -- I mean, a lot of that was
15 developed, you know, in the '90s, so we weren't
16 really necessarily a part of that. We didn't start
17 doing stuff for Westfall until the 2000s, but, you
18 know, supports whomever, it doesn't -- it's not
19 specific to any -- obviously you're not gonna see a
20 big box downtown because there's a lot more that is
21 involved than just the sewer to -- to sustain a big
22 box.

23 A lot of the stuff that you're
24 seeing in Westfall, you can't -- I think you're
25 trying to say that, hey, if we get sewer, we're

1 gonna have a Walmart downtown. Well, that's, of
2 course, not gonna happen, 'cause the geographic
3 area's completely different than Westfall's, you
4 know, just farm fields and land that was available
5 spatially for that and the zoning. That's another
6 huge thing that, you know, development -- what --
7 the -- the type of businesses you will see -- and I
8 get back to this over and over again, because there
9 is this thing with the central sewage, specifically
10 within the township, that we're trying to use sewer
11 to control development and that is a risky way to
12 do that.

13 Zoning is the legal way to do
14 that. Do not use sewer to control development,
15 that's -- ask Westfall, they'll tell you. So, you
16 know, obviously the historic district downtown, the
17 historic regulations and the zoning regulations are
18 gonna really kind of control what businesses you'll
19 see down there. And if you want those -- I guess
20 from the borough's standpoint, if you want the --
21 to, you know, see a certain thing, you'd look to
22 those ordinances. But the sewer is just a utility
23 to support whatever is viable underneath the zoning
24 and the -- and the historic protections that you
25 have in place already or -- and those always can be

1 amended as well.

2 MS. DiGESO: Tim Haar, let me
3 unmute you. Hold on.

4 MR. TIM HAAR: Hi. This is Tim
5 Haar of 614 Sixth Street in the borough, resident
6 for 29 years. I think I learned something today
7 that I didn't know before, so I found this meeting
8 to be quite beneficial.

9 In the beginning it was
10 represented that there would be a need for a joint
11 municipal authority to manage the sewer system,
12 which has been pointed at the Milford Water
13 Authority to be part and parcel to that, but it's
14 -- that's fine, but how does that work with Milford
15 Township? And it sounds like the plan, as it
16 currently is laid out, requires this authority to
17 manage this system once approved and funded and all
18 the things that go with that.

19 So my question is two-fold. Is
20 that in the plan, the specifics about this joint
21 authority between Milford Township and Milford
22 Borough? And to the council, what memorandums of
23 agreements are in place or will be in place
24 specific between Milford Township and Milford
25 Borough to allow this authority stand up?

1 MR. SPATZ: So for the -- from
2 what I understand --

3 And somebody can jump in and
4 correct.

5 -- the Milford Authority is not
6 -- is a municipal authority. So within its charter
7 and bylaws -- and I haven't specifically looked at
8 this stuff, but I've asked about this and the
9 affirmation has come back that they can take on the
10 role of sewer. So within their -- their -- their
11 -- their formation documents, they have
12 jurisdiction to operate, the authority does, within
13 both municipalities and that was signed off by both
14 municipalities to do that way back in the day,
15 whenever the authority was created or whenever
16 they, you know, took public water into -- into the
17 township. And I would assume, and this would need
18 to be verified, that sewer, as a part of that
19 operational jurisdiction, can go into both areas.

20 Honestly, the -- from the, you
21 know -- from West -- from Milford Township's
22 standpoint, the supervisors are in control of what
23 occurs or does not occur within the township. Just
24 like council is in control of what occurs and does
25 not occur within the borough. So the supervisors

1 are, and their planning, are looking at this plan
2 currently. Their planning commission I think has
3 till the end of the year to make comments on it.
4 But right now we're not planning on any connection,
5 so it's just a trunk line down through three lane
6 to get to the borough. That's how the plan's
7 written, so if anybody would want to connect within
8 the township, they would have to submit planning
9 documents, planning modules or other things that
10 the township would have to approve for them to be
11 able to connect to this line.

12 Ultimately, the -- the -- the
13 authority, Milford Authority, will serve to -- kind
14 of serves at -- at -- at the pleasure of the
15 township in -- in that regard. If, you know --
16 when -- when a -- a business wants to connect
17 either through a planning module exemption or a --
18 or a module to the -- to the trunk line, the
19 township will approve -- has to review and approve
20 that, the supervisors. If the supervisors review
21 and approve that, well, then the authority will
22 come in and facilitate the connection to the line,
23 you know, basically say, hey, you know, submit
24 plans to us and then we can connect in; but if the
25 township doesn't approve that document, they can't

1 connect.

2 So there's -- I guess there's --
3 there's the -- the dialogues and -- and how things,
4 you know, flow through for, you know -- as the
5 lines's already in place and who's connecting how,
6 so on and so forth. That's managed at the
7 municipal level even with the -- the authority is
8 just the doer. It's like my marriage, my wife is
9 the -- you know, she's the boss, I just do the
10 stuff, kind of the same thing. So the authority in
11 that scenario is like me, the doer, and -- and
12 implements, I guess, at the township pleasure and
13 same thing for the borough.

14 MR. TIM HAAR: So to be clear,
15 and I'll -- I'll conclude with this, the Milford
16 Water Borough Authority, as it currently exists, is
17 also inclusive of Milford Township's? I thought I
18 -- I think -- I thought is what I just heard you
19 say.

20 MR. SPATZ: I don't know about
21 inclusive, but they operate within -- they have
22 jurisdiction to operate within both municipalities
23 and they have been for years. So --

24 MR. TIM HAAR: Okay.

25 MR. SPATZ: Yeah. That's what

1 -- I -- I'm not an attorney, but that's what -- and
2 I --

3 MR. MAGNOTTA: The --

4 Thank you, Mark.

5 My understanding is that the
6 Milford Authority does have water lines in both the
7 borough and in the township and is authorized to
8 operate in both. It would be up to future
9 agreements to ascertain whether or not they would
10 be taking on the sewer completely for both, that
11 would -- that would be between the township and the
12 council. Supervisors and council would have to
13 agree to that, but they certainly already have a
14 project that lies within the same service area that
15 we're talking about here, so they would be equipped
16 to do that.

17 Thank you, Tim.

18 MR. TARQUINIO: Laurie, is there
19 other questions, comments?

20 MS. DiGESO: I think we've got
21 everybody at the moment.

22 If anyone's out there who still
23 wants to make a comment, just let me know.

24 MR. TARQUINIO: Tim, I might say
25 one other thing --

1 MR. MAGNOTTA: I have one -- I
2 have one more comment, Frank.

3 MR. TARQUINIO: Go ahead.

4 MR. MAGNOTTA: I just want to
5 wish everyone a Merry Christmas.

6 MR. TARQUINIO: Thanks a lot.

7 MALE VOICE: Thank you, Tony.

8 MR. TARQUINIO: And, Tim, I was
9 gonna say, we have an intermunicipal agreement with
10 Milford Township and with Westfall and that -- that
11 ends after the study, after the 537. So if we were
12 to go forward and -- to go forward with Milford
13 Township and -- or Westfall and with the water
14 authority, we'd have to create a whole new
15 intermunicipal agreement with them and sign off
16 with it. So at that point it -- and we wouldn't go
17 any further. I think that's the first step, when I
18 put up -- if we go forward, that would be even
19 before we looked for funding because that has to be
20 in place or otherwise it makes no sense to even,
21 you know, look for money with that.

22 Right, Mark?

23 MR. SPATZ: Correct. And the --
24 you know, the intermunicipal agreement's when --
25 where that all will get shaped together and kinda

1 all these details worked out. But if you go to
2 Chapter 7.1, analysis of existing authorities,
3 that's where we outline who would be responsible
4 for -- and keep in mind, this is -- as much as this
5 is the borough's plan, this is also the township's
6 plan. Now, there's certain aspects of it -- you'll
7 see in there, it talks about the borough, then in
8 some other paragraphs talks about the township.

9 So if the township wants to
10 address it a different way, then they're gonna let
11 us know, right, and then we would change that. But
12 as of discussions to date, have been that the --
13 the Milford Municipal Authority would ultimately
14 construct, own and operate the system. If that
15 makes sense.

16 MR. MAGNOTTA: Thank you, Mark.

17 MS. DiGESO: I don't see
18 anything else.

19 MR. TARQUINIO: Then I think --
20 I think then if nobody has anything else to say,
21 I'll wish everyone a Happy Holidays, Happy New Year
22 and I hope everyone keeps safe and I think we --
23 we'll end the meeting.

24 Thank you very much.

25 MR. SPATZ: Thank you.

1 MS. DiGESO: Good night,
2 everyone.

3 MR. MAGNOTTA: Good night.

4 Thank you.

5 (Hearing concluded at 7:48 p.m.)

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7 I hereby certify that the
8 proceedings and evidence are contained fully and
9 accurately in the notes taken by me, at the hearing
10 in the above matter; and that the foregoing is a
11 true and correct transcript of the same.
12
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14

15 TARA WILSON, CR
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POCONO RECORD
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511 Lenox Street - Stroudsburg, PA 18360

(570) 421-3000

WESTFALL TOWNSHIP
PO BOX 247

ACCOUNT # 600040058

MATAMORAS, PA 18336

Proof of Publication Notice in the Pocono Record

Kelli McFall, Advertising Manager of the Pocono Record having been duly sworn according to law, deposes and says the Pocono Record is a Newspaper of general circulation published at 511 Lenc Street, Stroudsburg, Monroe County, Pa. The Pocono Record was established on April 2, 1894 and has been regularly published and issued in Monroe County since that time. The printed notice attached to this affidavit is exactly the same as was printed and published in the regular editions and issues of the Pocono Record on the dates listed below the bottom of this notice. I certify that I am duly authorized to verify this statement under oath and am not interested in the subject matter of the attached notice or advertisement. All allegations in this affidavit as to time, place, and character of publication are true.

Copy of notice

**PUBLIC NOTICE
EASTERN PIKE COUNTY
REGIONAL ACT 537
PLAN ADOPTION**

Notice is hereby given that the Westfall Township Board of Supervisors, Pike County, Pennsylvania proposes to adopt a Sewage Facilities Plan pursuant to Act 537 including an Environmental Report following a thirty (30) day public comment period; hereby established.

The study area for the Plan is Milford Borough and Matamoras Borough in their entirety, and portions of Milford and Westfall Township.

The purpose of the Plan is to address the wastewater disposal needs of Milford Borough, Matamoras Borough, and portions of Westfall Township and Milford Township based on existing and future growth within the four Municipalities and the operation and maintenance of existing on-lot disposal systems (OLDS) within the planning areas.

The selected alternatives for the Plan for Westfall Township are as follows: (1) Construction of public sanitary sewer facilities to serve Route 6/209 for an estimated total project cost of approximately \$2,600,000 over a period of 5 years contingent upon receipt of favorable funding in the form of grant money and/or potential developer agreements for cost sharing. (2) Development and implementation of a 5-year enhanced monitoring program in Westfall Township to determine the need for additional ordinance requirements in addition to the current ordinances.

Individuals interested in reviewing a copy of the Plan may do so on the Westfall Township Website (www.westfalltownship.org).

The public may submit written comments on the Plan to the Westfall Township Board of Supervisors, 102 La Barr Lane P.O. Box 247 Matamoras, PA 18336; or through email to westfallsec@optonline.net during the 30-day public review and comment period, which will commence on December 11, 2020 and terminate on January 14, 2021.

Westfall Township
Board of Supervisors

P - Dec. 9

Kelli McFall

Commonwealth of Pennsylvania
County of Monroe

Sworn to and subscribed
to before me this day December 09, 2020

Lois A. Kirkwood
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Lois A. Kirkwood, Notary Public
Monroe County
My commission expires March 2, 2023
Commission number 1085876
Member, Pennsylvania Association of Notaries

EXPIRE DATE	AD CAPTION	# TIMES	AMOUNT
12/09/2020	PUBLICNOTICEEASTERNPIKECO	1	117.24
START DATE 12/09/2020	END DATE 12/09/2020		

Spatz, Mark

From: Jodi Manheim <westfallsec@optonline.net>
Sent: Monday, February 8, 2021 2:46 PM
To: Spatz, Mark
Cc: Roberts, Matthew; Salmon, Cory; 'Jeri Ey - Municipal Authority of Westfall'; 'Chad Stewart'
Subject: RE: Westfall Township

Hi Mark,
No public comment was received. I forwarded your email to the Board and Bob Bernathy for review. This matter will be on the agenda for tomorrow night's meeting for disposition. Thank you.

Jodi Manheim, Secretary
Westfall Township
P.O. Box 247
102 LaBarr Lane
Matamoras, PA 18336
Phone: 570-491-4065
Fax: 570-491-6353

From: Spatz, Mark <mspatz@hrq-inc.com>
Sent: Monday, February 08, 2021 2:37 PM
To: Jodi Manheim <westfallsec@optonline.net>
Cc: Roberts, Matthew <mroberts@hrq-inc.com>; Salmon, Cory <csalmon@hrq-inc.com>; Jeri Ey - Municipal Authority of Westfall (wma155@verizon.net) <wma155@verizon.net>; Chad Stewart (stewart494@gmail.com) <stewart494@gmail.com>
Subject: RE: Westfall Township

Good afternoon Jodi,

Did you receive any public comments? If so, shoot to me so HRG can draft a response for the BOS's consideration.

In either case, please find the attached resolution to adopt the Act 537 Plan. Please pass to your Solicitor for review prior to the meeting. If there are any questions, please don't hesitate to let me know.

Mspatz
570.851.2804 [office]
570.954.7589 [cell]

From: Jodi Manheim <westfallsec@optonline.net>
Sent: Monday, February 8, 2021 9:59 AM
To: Spatz, Mark <mspatz@hrq-inc.com>
Subject: Westfall Township

Hi Mark,
The February Supervisors Meeting is tomorrow night. The Public Comment Period for the Act 537 Plan is on the agenda. Is there anything the Supervisors need to do formally at this meeting? There was no public comment.

Thank you.

Jodi Manheim, Secretary
Westfall Township
P.O. Box 247
102 LaBarr Lane
Matamoras, PA 18336
Phone: 570-491-4065
Fax: 570-491-6353

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Commonwealth of Pennsylvania } ss.
County of Pike

PUBLIC NOTICE

The Matamoras Borough Council will hold a meeting for public comment in regard to the 537 Plan on February 9th, 2021 at 6:30 p.m., followed by the regular Council Meeting at 7:30 p.m. Both meeting will be held at the Matamoras Firehouse, 6th Street and Avenue Q, Matamoras, PA, 18336. Both meetings will also be held via Zoom with access links available on our website:

matamorasborough.com, as well as on our public media pages. The 537 Plan is available to view on our website

matamorasborough.com under the News section. The public meeting will be on a first come, first serve basis according to Covid-19 Guidelines. Any questions can be directed to the Borough Office at 570-491-2771.

Natasha Wallace
Borough Secretary
Eric Hamill
Solicitor
26/27B(41)

Sue Doty-Lloyd

being duly sworn, according to law, deposes and says that she is the Publisher of the "Pike County Dispatch," a weekly newspaper of general circulation established in the year 1826 and published at No. 105 West Catharine Street, in the Borough of Milford, County and State aforesaid; and that a printed notice, an exact copy of which is hereto annexed, was published in said newspaper two time(s), to wit, in its issues of

Jan 21

Jan 28

A.D. 2021 and the affidavit further states that she is not interested in the subject matter of this notice or advertisement and that all of the allegations of the statement as to time, place and character of publication are true.

Pike County Dispatch

Kelli Doro

Kelli Doro, Attorney-In-Fact
Sue Doty-Lloyd, Principal

Sworn to and subscribed to before me this 28 day

of January A.D. 2021

Commission Expires 1/9/25

Commonwealth of Pennsylvania - Notary Seal
Lynn M. Homer, Notary Public
Pike County
My commission expires January 9, 2025
Commission number 1273895
Member, Pennsylvania Association of Notaries

Kelli McFall, Advertising Manager of the Pocono Record having been duly sworn according to law, deposes and says the Pocono Record is a Newspaper of general circulation published at 511 Lenc Street, Stroudsburg, Monroe County, Pa. The Pocono Record was established on April 2, 1894 and has been regularly published and issued in Monroe County since that time. The printed notice attached to this affidavit is exactly the same as was printed and published in the regular editions and issues of the Pocono Record on the dates listed below the bottom of this notice. I certify that I am duly authorized to verify this statement under oath and am not interested in the subject matter of the attached notice or advertisement. All allegations in this affidavit as to time, place, and character of publication are true.

Copy of notice

PUBLIC NOTICE
EASTERN PIKE COUNTY
REGIONAL ACT 537 PLAN
ADOPTION

Notice is hereby given that the Matamoras Borough Council, Pike County, Pennsylvania proposes to adopt a Sewage Facilities Plan pursuant to Act 537 including an Environmental Report following a thirty (30) day public comment period, hereby established.

The study area for the Plan is Milford Borough and Matamoras Borough in their entirety, and portions of Milford and Westfall Township.

The purpose of the Plan is to address the wastewater disposal needs of Milford Borough, Matamoras Borough, and portions of Westfall Township and Milford Township based on existing and future growth within the four Municipalities and the operation and maintenance of existing on-lot disposal systems (OLDS) within the planning areas.

The selected alternatives for the Plan for Matamoras Borough are as follows:

- (1) Construction of public sanitary sewer facilities to serve Matamoras Borough along Pennsylvania Avenue and other municipal roads that were determined as needs areas for an estimated total project cost of approximately \$5,800,000 over a period of 5 to 10 years contingent upon receipt of favorable funding in the form of grant money, execution of an inter-municipal agreement, potential developer agreements for cost sharing, and Westfall Township extending their sewer line to the border of Westfall Township (2) Development and adoption of an OLDS Management Ordinance in Matamoras Borough to ensure proper operation and maintenance of OLDS is conducted.

Individuals interested in reviewing a copy of the Plan may do so on the Matamoras Borough Website (www.matamorasborough.com).

The public may submit written comments on the Plan to the Matamoras Borough Council, 10 Avenue I, Matamoras, PA 18336; or through email to wallace@matamorasborough.com during the 30-day public review and comment period, which will commence on January 8, 2021 and terminate on February 8, 2021.

Public meetings to discuss the Plan will be held on January 13, 2021 at 7 p.m.; January 20, 2021 at 7 p.m.; and February 9, 2021 at 7 p.m. Meeting location specifics can be found on the Borough's website (www.matamorasborough.com).

Kelli McFall

Commonwealth of Pennsylvania
County of Monroe

Sworn to and subscribed January 29, 2021
to before me this day

Lois A. Kirkwood
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Lois A. Kirkwood, Notary Public
Monroe County
My commission expires March 2, 2023
Commission number 1085876
Member, Pennsylvania Association of Notaries

PIRE DATE 29/2021 AD CAPTION PUBLICNOTICEEASTERNPIKECO # TIMES 4 AMOUNT 407.96

START DATE 01/08/2021 END DATE 01/29/2021

PUBLIC NOTICE

Questions/Concerns/Recommendations for the Act 537 Plan special meeting on 01/13/2021

1. What happens to the old systems?
2. With only 5% of the Borough having confirmed malfunctioning systems where is the proof that the ground water in Matamoras is a health hazard? Also, how many commercial sites were surveyed vs. commercial sites in the Borough by HRG?
3. What is the percentage of cesspools vs. septic tanks in the Borough?
4. How will this system affect water table levels with businesses?
5. What are the challenges for the sewage treatment plant?
6. If you have a cesspool that is listed as potentially failing, what can we do to prevent more failure?
7. With the 2b plan it is said that a residential site will be required to hook up despite having a working septic tank not a cesspool. Would this plan require a perfectly working system to be decommissioned?

Matamoras Borough

Response to Public Comments

February 9, 2021

We have reviewed the public comments from the Act 537 Plan Special Meeting on 1/13/2021, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The On-Lots Disposal Systems on properties along the proposed extension will be decommissioned.
2. While 5% of the properties were confirmed failures by the Tier 2 Surveys, 50% of the properties were classified as confirmed failures or suspected failures. 18 of the 79 properties (22.7%) located in the commercial district were surveyed.
3. There are approximately 988 OLDS systems in Matamoras Borough, and 220 systems were surveyed. Of the 220 systems, 83 were classified as cesspools, so of the sampled systems, 37.7% are cesspools.
4. The system should not have a significant effect on the water table levels.
5. The Municipal Authority of the Township of Westfall Wastewater Treatment Plant (MATW WWTP) is currently permitted to discharge 374,000 gallons per day (GPD). With the selected alternatives for Westfall Township, Matamoras Borough, and Milford Borough, MATW WWTP would be operating at 154,000 GPD. The Organic Loading Capacity is 1,081 lbs BOD5/day, and the projected organic load would be at 104.3 lbs BOD5/day, which is also below the capacity. As a result, the increased demand should not present significant challenges for the MATW WWTP.
6. Other than replacement of the system, failure can be prevented through regularly scheduled pumping, water conservation, monitoring the system regularly, and avoiding solids in the cesspool.
7. Due to the requirement of a mandatory connection ordinance for public funding options, this plan would require all OLDS to be decommissioned and connect to the sewer system if the sewer lines are adjacent to the property.

change.org

Recipient: Matamoras Council

Letter: Greetings,

Matamoras and ACT 537. Please take careful consideration when voting on participating with this study.

Matamoras has the opportunity to participate in a regional ACT 537 feasibility study. This will include Milford, Westfall and Matamoras Borough and will not cost anything because there is currently a \$37K grant available for this study. If we agree to join in with the other municipalities, it will research what kind of on site waste disposal systems that businesses and residents are currently using. It will pinpoint what type of failures have been occurring, including impending failures, and then provide solution(s), a plan and funding options for central sewage within our Borough. It's important to know that the Matamoras Municipal Authority will be responsible to obtain these grants and funding, not the borough council.

By signing this petition, you are showing your support for the ACT 537 study to see if there is a sewage crisis in our Borough. This will allow the surveys to go out to the residents and additional research to determine the level of the problem we are facing. The problem will not be fixed overnight and could potentially take a decade or longer but it's important to start the planning process NOW. It's also important to know that the Borough Council does not want to make this a mandatory tie in.

THIS PETITION SUPPORTS PROCEEDING WITH ACT 537 STUDY

Comments

Name	Location	Date	Comment
Tammy Zajac	Matamoras, PA	2019-04-02	Septics,are failing in our small town. We do not enough land to bring our septics up to code. We need to know what septic seepage is doing for our health and the environment. This is an important issue that needs to be remediated.
Lynn Homer	Matamoras, PA	2019-04-02	This is long overdue that we start this process in the Borough.
Tammy Zajac	Matamoras, PA	2019-04-02	This is very important matter for all residents of Matamoras and Westfall. Our septics are failing and we do not have room to put new ones in. This seepage must have an impact on our health and environment. We need this problem addressed immediately.
Pamela Lawler	Plattsburgh, NY	2019-04-02	Basic modern day sanitation, should have been done long ago.....let's make it happen now
Jeff Lawler	Matamoras, PA	2019-04-02	Being so close to the Delaware river, I'm sure there is run off in river, town has mostly, 50x100 lots. Which are failing also this would bring up property values
Angela Smith	Matamoras, PA	2019-04-03	Should have been done a long time ago. Time to get with the program, matamoras!
Warren.Wylie	US	2019-04-04	Property values will rise businesses will thrive and homeowners will not have to worry about their failing septics. Currently there is too much water being pumped into the grounds of our area and this needs to be at least explored!
Jim Reithmayr	milford, PA	2019-04-04	It's right
Dan Conklin	US	2019-04-05	I would like centalcsewage
Dan Velazquez	Dingmans Ferry, PA	2019-04-05	To make sure the discharge of the facility is environmentally safe for everyone
Melissa Alessandra	Ormond Beach, FL	2019-04-06	I am from Matamoras
Lisa Salvato	Matamoras, PA	2019-04-07	Matamoras should have converted years ago. Because they kept declining the idea of moving forward on central sewage, homes and businesses are now in jeopardy and will only continue to get worse. The borough is going to greatly benefit in the end but the time to get started is NOW!
Alan Tyler	Milford, PA	2019-04-07	I own property in Matamoras and have been hearing about central sewage since the late 1980's.

Signatures

Name	Location	Date
Lisa Salvato	Matamoras, PA	2019-03-31
Tammy Zajac	Matamoras, PA	2019-04-02
Heather Cholewka	Milford, US	2019-04-02
tara paradiso	port jervs, NY	2019-04-02
Lynn Homer	Matamoras, PA	2019-04-02
Justin Salvato	Matamoras, PA	2019-04-02
Valerie McElnea	Milford, PA	2019-04-02
Janet Tyborowski	Kempton, PA	2019-04-02
Veronica Decker	Matamoras, US	2019-04-02
Jinesa Fortune	New York, US	2019-04-02
Florence Berti	Matamoras, US	2019-04-02
Howard Meivogel	Myrtle Beach, SC	2019-04-02
Marena bush	Matamoras, PA	2019-04-02
Pamela Lawler	Plattsburgh, NY	2019-04-02
Karen Mccann	Matamoras, US	2019-04-02
Jeff Lawler	Matamoras, PA	2019-04-02
Robert Homer	Port Jervis, NY	2019-04-02
Jennifer Radesca	New York, NY	2019-04-02
Ivy Bourgeois	Montague, NJ	2019-04-02
Serena Oliver	Brooklyn, NY	2019-04-02

Name	Location	Date
Destiny Conklin	Matamoras, PA	2019-04-02
Pamela Lutfy	Milford, US	2019-04-02
diane burger	Matamoras, US	2019-04-02
christina varvara	Matamoras, US	2019-04-02
Sean Alessandra	Middletown, US	2019-04-02
Gene Lewis	Westtown, US	2019-04-02
Brandie Woodley	Milford, PA	2019-04-03
Laura Kroger	Matamoras, PA	2019-04-03
Thien Pham	Port Jervis, NY	2019-04-03
Jason Iorio	Pine Bush, NY	2019-04-03
Joshua Novello	Matamoras, US	2019-04-03
Norma Ewbank	Matamoras, PA	2019-04-03
Heather Dewar-Elabdouni	Matamoras, US	2019-04-03
Jeff Strickler	Matamoras, PA	2019-04-03
Dominic Giovanniello	Matamoras, US	2019-04-03
Martin Strenk	Matamoras, US	2019-04-03
John Araujo	Milford, PA	2019-04-03
Lisa Sanchez	Stratford, US	2019-04-03
Quantrell Mack	Baton Rouge, US	2019-04-03
Wesley Hobbs	Arlington, US	2019-04-03
Brittany Smith	Wallkill, NY	2019-04-03
Angela Smith	Matamoras, PA	2019-04-03

Name	Location	Date
Dennis Lee	Dingmans Ferry, US	2019-04-03
Disa Tonkin	Matamoras, PA	2019-04-03
Justine Paszkiewicz	Milford, US	2019-04-03
Nancy Homer	Montague, US	2019-04-03
Jenell Nani	Perkasie, US	2019-04-03
Stephan James	Las Vegas, US	2019-04-03
Lori-Ann Bush	Matamoras, PA	2019-04-03
Mike Rez	Tobyhanna, PA	2019-04-03
Ruth Wylie	Secaucus, US	2019-04-03
Alan Yurich	Milford, PA	2019-04-03
Sharon Wylie	Milford, US	2019-04-03
Melissa Nearing	Matamoras, PA	2019-04-03
Christina Nearing	Montague, NJ	2019-04-03
Stephanie Feely	Middletown, NY	2019-04-03
Michele Dennison	Port jervis, NY	2019-04-03
Christopher LaPorta	Rochester, US	2019-04-03
Saul Goodman	Cleveland, US	2019-04-03
C Akekna	Middletown, NY	2019-04-03
Kelsie Case	Port Jervis, NY	2019-04-03
Deanie Roeder	Matamoras, PA	2019-04-03
Jason Gunderman	Port Jervis, US	2019-04-03
Sarah Maney	Milford, PA	2019-04-03

Name	Location	Date
Dawn Colon	Matamoras, PA	2019-04-04
Kimberly Davis	Matamoras, PA	2019-04-04
Denise Harford	Montague, US	2019-04-04
Deborah Shevlin	Staten island, NY	2019-04-04
Debra Iorio	US	2019-04-04
Sarah Pflanz	Matamoras, PA	2019-04-04
Sarah Sutton	Matamoras, US	2019-04-04
Rachal Fuller	Matamoras, PA	2019-04-04
Warren Wylie	US	2019-04-04
diana hart	matamoras, PA	2019-04-04
Regina Purtill	Matamoras, PA	2019-04-04
Paul Jasso	Matamoras, US	2019-04-04
Marty Lewis	Matamoras, US	2019-04-04
Brian Langseder	Wurtsboro, NY	2019-04-04
Jennifer Kolvenbach	Matamoras, PA	2019-04-04
Sara Gray-Mulzet	New York, NY	2019-04-04
Larry Shearer	Matamoras, US	2019-04-04
Christopher Decker	Shohola, US	2019-04-04
Tina Cokelette	Matamoras, US	2019-04-04
Matthew Cline	Matamoras, PA	2019-04-04
Celia Lewis	Livonia, US	2019-04-04
Jacob Colon	Secaucus, NJ	2019-04-04

Name	Location	Date
Yetdaw Belay	San Diego, US	2019-04-04
Chris Zgroddek	Glen spey, NY	2019-04-04
Eric Hupka	Telford, PA	2019-04-04
Rhianna Colon	Elmira, NY	2019-04-04
Jim Reithmayr	milford, PA	2019-04-04
Cindy Ladanyi	New York, NY	2019-04-04
Brian benning	Milford, PA	2019-04-04
Dayna G	Newburgh, NY	2019-04-04
Timothy Oszczepinski	Matamoras, PA	2019-04-04
Nyia Dukes	Los Angeles, US	2019-04-04
Gail Coleman	Montague, NJ	2019-04-04
Laurie Cirillo-Carter	US	2019-04-04
Paul Sarn	Bentonville, AR	2019-04-04
Ami Greiner	Matamoras, PA	2019-04-04
Shaun Hamilton	Shohola, US	2019-04-04
John Shannon	Matamoras, PA	2019-04-04
Owens Steve	Milford, US	2019-04-04
valerie bransol	Milford, PA	2019-04-04
Thomas O'Rourke	Milford, PA	2019-04-04
Marcelo Iroldi	Hillside, NJ	2019-04-04
Debbie Ertola	Milford, PA	2019-04-04
Mark Fitzpatrick	Dingmans Ferry, PA	2019-04-05

Name	Location	Date
Heather Mady	Matamoras, PA	2019-04-05
Dan Conklin	US	2019-04-05
Michele Hay	Middletown, NY	2019-04-05
jessica kurcon	Matamoras, PA	2019-04-05
Mark r Fuller sr	Port Jervis, US	2019-04-05
Gene Mitchell Jr	Matamoras, PA	2019-04-05
Eric Clarke	Port Jervis, NY	2019-04-05
Andrew Christensen	Matamoras, PA	2019-04-05
Sharon Senkiew	Port Jervis, NY	2019-04-05
Richard Bloomer	Matamoras, PA	2019-04-05
Jeff Benson	Matamoras, PA	2019-04-05
Lyndsay Cairns	Dingmans Feery, PA	2019-04-05
Cynthia Ellison	Matamoras, PA	2019-04-05
Richard Davis	Shohola, US	2019-04-05
Jodi Haas	1-US-39-PA, PA	2019-04-05
Michele Scrimenti	Philadelphia, PA	2019-04-05
Dan Velazquez	Dingmans Ferry, PA	2019-04-05
leslie zajac	Sussex, NJ	2019-04-05
frank cannata	Kingston, US	2019-04-05
Robert Hay	Middletown, US	2019-04-06
Melissa Alessandra	Ormond Beach, FL	2019-04-06
Kathy Palko	Chittenden, VT	2019-04-07

Name	Location	Date
Linda O'Donnell	Matamoras, US	2019-04-07
Alan Tyler	Milford, PA	2019-04-07
Faith Kimble	Dingmans Ferry, US	2019-04-08
Matt Berry	Little Rock, US	2019-04-08
Scott Zedar	Eynon, US	2019-04-08
Kathy Parent	Milford, PA	2019-04-08
Dan Parent	Milford, PA	2019-04-08

Matamoras Borough

Response to Public Comments

February 9, 2021

We have reviewed the public comments from the change.org Central Sewage Petition from April 2019, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. Matamoras Borough acknowledges the petition and subsequently joined the Regional Act 537 Plan Study. The primary focus is to initially work on implementing Alternative No. 2B in the Eastern Pike County Regional Act 537 Plan. An Act 537 Component 3M study may be completed at a later date, after the current Plan is approved by DEP, to evaluate additional sewer needs areas. The additional planning can be completed while the Alternative No. 2B is in the design / permitting process.

Spatz, Mark

From: n.wallace@matamorasborough.com
Sent: Monday, January 25, 2021 2:44 PM
To: Spatz, Mark
Subject: FW: Act 537

Natasha Wallace
Borough Secretary
Borough of Matamoras
10 Avenue I, Ste.1
Matamoras, PA 18336
Phone: (570) 491-2771
n.wallace@matamorasborough.com
www.matamorasborough.com

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-----Original Message-----

From: John Gelormino <jagco777@icloud.com>
Sent: Monday, January 25, 2021 2:36 PM
To: n.wallace@matamorasborough.com
Subject: Act 537

John and Mary Gelormino at 9 Avenue N would like to let it be known that we would like our home to be a part of the Act 537 public sewer plan.

Thank you,
John Gelormino

Matamoras Borough

Response to Public Comments

February 9, 2021

We have reviewed the emailed public comments from Mr. and Mrs. John and Mary Geronimo on 1/25/2021, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. 9 Avenue N will not be included the selected alternative. The proposed connections for each Alternative are shown in Appendix E.

Borough of Matamoras

10 Avenue I

Matamoras, Pennsylvania 18336

570-491-2771



1905

Act 537 Plan Public Comment and Inquiries

January 20th, 2021

1. What will be the actual service cost monthly for residents that are mandated to hook up?
2. Do businesses have higher EDU and pay higher monthly rates?
3. With a three-million-dollar loan, how would this effect residents' taxes?
4. If the plan misses a house by an intersection, is there still a way to hook up?
5. Why would anyone want to increase their monthly/yearly costs if they already have a perfectly working system?
6. Are there any studies or data as to how public sewers vs. private septic affect property values in more congested areas?
7. Would the charge change if more households would consider joining the plan?
8. Would it be feasible to have our own plant?
9. Will all households have to be connected eventually?

Matamoras Borough

Response to Public Comments

February 9, 2021

We have reviewed the public comments from the Act 537 Plan Special Meeting on 1/20/2021, regarding the Eastern Pike County Regional Act 537 Plan. Our responses are indicated below.

1. The monthly sewer cost is \$76/EDU with an assumed 45% USDA grant, which was included in Chapter 5 of the Plan.
2. EDU count is determined by usage. Every 200 gallons per day (GPD) is one EDU, and the monthly rates are determined by number of EDU's.
3. The loan would be a long term, low-interest loan from a public funding agency. The debt service costs are included in the monthly sewer bills.
4. Additional sewer planning will be explored in the future.
5. Septic systems require more maintenance and attention. In addition, septic systems break down over time and are expensive to replace.
6. There have been a number of studies that show public sewer has a positive impact on property values.
7. The current charge is an estimate and is subject to change. Additional sewer beyond Alternative No. 2B is not being considered for the Eastern Pike County Regional Act 537 Plan. Additional sewer planning will be explored in the future.
8. It would not be feasible to build another plant. The Borough would need to pay for the upfront costs to build and operate a Wastewater Treatment Plant (WWTP). There is more than adequate capacity at the Westfall WWTP. In addition, the DEP and DRBC is unlikely to approve of an additional WWTP discharging into the Delaware River nearby.
9. The only houses that would connect are the ones outlined in the Plan for Alternative No. 2B and are listed in Appendix E. Additional sewer planning will be explored in the future.

**PUBLIC NOTICE
EASTERN PIKE
COUNTY REGIONAL
ACT 537 PLAN
ADOPTION**

Notice is hereby given that the Milford Township Board of Supervisors, Pike County, Pennsylvania proposes to adopt a Sewage Facilities Plan pursuant to Act 537 including an Environmental Report following a thirty (30) day public comment period; hereby established. The study area for the Plan is Milford Borough and Matamoras Boroughs in their entirety, and portions of Milford and Westfall Townships.

The purpose of the Plan is to address the wastewater disposal needs of Milford Borough, Matamoras Borough, and portions of Westfall Township and Milford Township based on existing and future growth within the four Municipalities and the operation and maintenance of existing on-lot disposal systems (OLDS) within the planning areas.

The selected alternatives for the Plan for Milford Township are as follows: (1) No Action Alternative in regard to Central Sewage (2) Development and implementation of a 5-year enhanced monitoring program in Milford Township to determine the need for additional ordinance requirements in addition to the current ordinances. Individuals interested in reviewing a copy of the Plan may do so on the Milford Township Website (www.milfordtownshippike.com). The public may submit written comments on the Plan to the Milford Township Board of Supervisors, P.O. Box 366, Milford, PA 18337 or through email to milfrdtp@ptd.net during the 30-day public review and comment period, which will commence on March 1, 2021 and terminate on March 31, 2021. A Public Hearing to discuss the Plan will be held on March 29, 2021 at 7:00pm at via Zoom. The meeting link can be found on the Township's website: <https://www.milford-townshippike.com/>

**Milford Township
Board of
Supervisors
31B(92)**

Sue Doty-Lloyd
being duly sworn, according to law, deposes and says that she is the Publisher of the "Pike County Dispatch," a weekly newspaper of general circulation established in the year 1826 and published at No. 105 West Catharine Street, in the Borough of Milford, County and State aforesaid; and that a printed notice, an exact copy of which is hereto annexed, was published in said newspaper One time(s), to wit, in its issues of

Feb 25

A.D. 2021 and the affidavit further states that she is not interested in the subject matter of this notice or advertisement and that all of the allegations of the statement as to time, place and character of publication are true.

Pike County Dispatch

Kelli Doro
Kelli Doro, Attorney-In-Fact
Sue Doty-Lloyd, Principal

Sworn to and subscribed to before me this 25 day
of February A.D. 2021

Commission Expires 11/9/25

Commonwealth of Pennsylvania - Notary Seal
Lynn M. Homer, Notary Public
Pike County
My commission expires January 9, 2025
Commission number 1273895
Member, Pennsylvania Association of Notaries

Before
THE MILFORD TOWNSHIP BOARD OF SUPERVISORS
(Via Zoom)

In Re: Public comment on the adoption of
an intermunicipal sewage facilities
plan pursuant to Act 537.

Monday, March 29, 2021, beginning at 7 p.m.

PRESENT: PENNY LUHRS, Chairperson
RACHEL HENDRICKS, Vice-Chairperson
GARY WILLIAMS, Supervisor

SHAHANA SHAMIM, Secretary

ANTHONY J. MAGNOTTA, ESQUIRE, Solicitor

ALSO PRESENT: MARK SPATZ, P.E.
HRG Engineering

PANKO REPORTING
537 Sarah Street, Second Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MS. LUHRS: I'd like to call to
2 order the Milford Township Supervisors public
3 comment meeting on the Intermunicipal Act 537 Plan.
4 I'd like to start with the Pledge of Allegiance, if
5 we could, though.

6 (Pledge of Allegiance.)

7 MS. LUHRS: We're here tonight
8 for public comment. I think with us is Mr. Spatz
9 from HRG and he can answer any questions or
10 comments or concerns that you have about the Act
11 537 Plan as it pertains to Milford Township.

12 MR. MAGNOTTA: Thanks, Penny.

13 MS. LUHRS: So I hand it over to
14 him or you.

15 MR. MAGNOTTA: Penny, if I
16 could, just for purposes of the record, the court
17 reporter is present, so if you could please
18 identify yourself when you speak, and please give
19 us your address, whether you're a Milford Township
20 resident. And also I'd just like to note that we
21 are here pursuant to a public notice that was
22 placed in the Dispatch, and I would like to ask the
23 township secretary if she has received any written
24 public comments during the public comment period?

25 MS. SHAMIM: I did not receive

1 any written comments.

2 MR. MAGNOTTA: Thank you.

3 MS. SHAMIM: You're welcome.

4 MR. MAGNOTTA: I'll turn it over
5 to Mr. Spatz.

6 MR. SPATZ: Good evening,
7 everybody. My name is Mark Spatz. I'm with
8 Herbert, Rowland & Grubic. We helped prepare the
9 Act 537 Plan for the municipalities, including
10 Milford Township.

11 The Act 537 Plan, just a brief
12 overview, is for future sewer planning, and that
13 does not necessarily mean public sewer, it can mean
14 on-lot sewer, which is the, you know, by de facto
15 sewer treatment option that has been going on for
16 decades, of course, people, you know, treating
17 their sewer on site through cess pools or on-lot
18 systems, sand mounds. There's a number of ways.

19 So what a 537 Plan does is it
20 looks at sewer planning at a municipal level over
21 the next 5 or 10 to 20 years. It's a planning
22 document just like a comprehensive plan for a
23 township and it's really the opportunity for the
24 township to kind of look, sit back and say, okay,
25 you know, what's sewer going to look like in our

1 town, you know, again, over the next 10 to 20
2 years.

3 See if I can -- yeah, I can
4 share. Good. So just a brief showing of where
5 this plan can be found. If you go on to the
6 Milford Township website, right over here on the
7 right-hand side, you see sewage. Can everybody --
8 is that coming through?

9 MR. MAGNOTTA: Yes.

10 MS. LUHRS: Yes.

11 MR. SPATZ: You would just hit
12 sewer here, and here's a whole bunch of information
13 kind of outlining just some of the processes that
14 have gone through to date, but really the 537 Plan,
15 the draft of that is right here. So you click on
16 that. That takes you to our FTP site, you can see
17 it says HRG at the top, it's our box site where we
18 keep the updates as things go along. So even
19 through the public comment period, there might be
20 minor changes to the plan to address public
21 comments. The public comments themselves are
22 incorporated into the plan. So you can find all
23 that information here.

24 The main parts of this, it's
25 really two pieces to it. There's chapters and

1 appendices. So the chapters are the narrative, the
2 meat of the report. The appendices are kind of the
3 follow-up or the more detailed information that is
4 referred to in the chapters. So if you go on to
5 the chapter section, then what I'd like to do --
6 these are all out of order a little bit, but if you
7 hit this name -- for some reason it's just how the
8 box works, it characterizes by update or date type.
9 So if you just go by name and it will put them in
10 order, so you can see it's the cover and table
11 contents, executive summary, Chapter 1 through 8.

12 Executive summary is basically a
13 brief of the whole report, so you can see that
14 we're looking at three pages here that does its
15 best to capsule the high points of what the 537's
16 outcome is, you know, what was looked at and the
17 outcome in three pages.

18 We looked at -- the 537 looks at
19 all four municipalities which is, Milford Borough,
20 Milford Township, Westfall Township and Matamoras
21 Borough. Each of those -- although it's a regional
22 plan, each municipality has its own planning within
23 this one document. And then they kind of work
24 together to some extent.

25 So you can see the two major

1 parts of this was the public sewer alternative for
2 the Boroughs and Westfall Township and then in --
3 and we talk about on-lot systems down here as well.
4 And for Milford Township, the township has selected
5 the no-action alternative, which means that there
6 won't be, with this plan, it means proposing public
7 sewer to go down streets and serve properties.

8 (Audio interference.)

9 MR. SPATZ: You guys, can you
10 hear me, okay, though, right?

11 (Audio interference.)

12 MR. SPATZ: Okay, to summarize
13 the chapters -- good now? Yes?

14 MR. MAGNOTTA: Yes.

15 MR. SPATZ: Good enough. All
16 right, summarizing the chapters, you know, with the
17 townships selecting no action alternative, a lot of
18 the content in the report honestly is for a public
19 sewer alternative, which, you know, again, the
20 Boroughs and Westfall have. That kind of looks at,
21 you know, if you have a public sewer alternative
22 what would that look like, what are the different
23 options, what would that cost. There's just a lot
24 in there, because that's really what Act 537 Plans
25 are, is, you know, the de facto is on-lot

1 treatment. If that's still working, that's the no
2 action alternative. If it's not, the community
3 wants to plan for public sewer, what would that
4 look like, what would it cost, what would the rates
5 be, so on and so forth. So a lot of the meat of
6 the report is really looking at public sewer
7 alternatives, you know, as a public entity, a
8 township, you know, how would that look. Again,
9 with the township selecting a no option
10 alternative, a lot of the content of the report,
11 although it's good information, I don't know that
12 it has a lot of relevance specifically to the
13 Township.

14 But with that said, Chapter 1
15 through 4 are kind of background information,
16 talking about geology, you know floodplains, what
17 the existing public sewer treatment plant is, what
18 it looks like, what the capacity is, so on and so
19 forth, so I'm not going to go through all the
20 details of the chapters. Again, you can go here
21 and read that, Chapter 1 through 4.

22 Five looks at the alternatives
23 for public sewer. Again, with the Township's no
24 action alternative, so, you know, you can read
25 through it, but there's not a lot of relevance I

1 think to the township.

2 Seven and eight, there is
3 information in here where the -- I'm trying to
4 think of what chapter it is, where the township
5 will look at an enhanced monitoring period for
6 on-lot systems to make sure everything's in good
7 shape for the next five years and at the end of
8 that period, if everything is in good shape, then,
9 you know, the status quo will stay the same, but
10 if, you know, systems could use a little -- if
11 property owners could use a little bit more
12 emphasis on cleaning their systems and, you know,
13 doing good maintenance, because the plan is for
14 them to stay on the on-lot systems. Right? So you
15 want to make sure property owners are aware of the
16 stuff they need to do, like pump out their systems.
17 And, honestly, you know, if you're coming from
18 like, you know, before you buy a home, you're
19 usually renting. Right? And if, you know, you're
20 not aware of that, you might be buying a property,
21 and you're just not aware that you have to pump it
22 out, pump the sewer out of the septic tank, so the
23 OLDS management ordinance that the township could
24 consider adopting after this five-year period,
25 would place a little bit more emphasis for the

1 township to, you know, notify property owners on a
2 reoccurring schedule that pumping is required,
3 things of that nature. So that's, again, that's
4 something that's not being proposed for adoption or
5 anything as part of this plan right now. It would
6 be something the township would consider after this
7 monitoring period of five years.

8 Is there any questions on that?
9 I could briefly touch on, you know, some of the
10 content in the chapters, unless there's any --

11 MR. KEVIN STROYAN: I mean, if
12 this is a public hearing, then it would be
13 appropriate that Mr. Spatz, if he's answering the
14 questions, give us a list of his credentials and
15 who were the authors of this document.

16 MR. SPATZ: Yeah. So, I'm,
17 again, Mark Spatz. I work for Herbert, Rowland &
18 Grubic. HRG is a two-hundred-person engineering
19 firm. We have ten offices throughout the state,
20 two offices in two other different states. We've
21 been in business since 1962, so fifty years.
22 Water, wastewater is I would say, I believe, last I
23 checked, it changes, it fluctuates, but I think
24 it's like 60 percent of our business is water,
25 wastewater industry. We serve more municipalities

1 and authorities than any other firm in all of
2 Pennsylvania. So we are experts in water,
3 wastewater.

4 Specifically, I represent
5 multiple authorities. I've done planning many
6 times. I've been employed by HRG for 17 or 18
7 years now, a licensed professional engineer, and I
8 work with other licensed professional engineers who
9 do this as well.

10 The authors of this report are
11 the municipalities. This is not an engineering
12 document. This is a -- there's no -- you will
13 never see us seal this document. We're not
14 required to seal it as a professional engineer
15 because it's a planning document. So it says
16 exactly what the Township or the Borough or
17 Westfall Township, it says exactly what they want
18 it to say. And if it doesn't say exactly what they
19 want it to say, they need to tell me exactly what
20 they want it to say, cause that's what we need to
21 put into this.

22 Now, HRG is not the approving
23 entity of this. The two approving entities of this
24 report, it's actually three, because you're in the
25 Delaware River, is the municipality, DEP and DRBC.

1 Those are the three entities that will review and
2 make comments and ultimately approve this document.

3 Any other questions? Is that
4 enough? Is there any other questions in regard to
5 that?

6 MR. MAGNOTTA: Are there any
7 other public comments?

8 MR. KEVIN STROYAN: If it's the
9 appropriate time, Kevin Stroyan, 119 Stroyan Lane.

10 There's several reoccurring
11 statements in this document in reference to the no
12 action alternative. And it specifically states
13 impacts of no action, it states probable
14 degradation of public water supplies, loss of
15 recreation and environmental -- loss of recreation
16 environmental hazards. It states that several
17 businesses have stated that they will not stay in
18 business in the area without public sewer. And
19 this is repeated not only in the environmental
20 section, it's in Chapter 5 several different times,
21 yet there's no supporting documentation.

22 MR. MAGNOTTA: I think that's a
23 comment.

24 MR. KEVIN STROYAN: It says
25 there's probable degradation of the public water

1 supply with a no action alternative. Yet there's
2 no support of that statement.

3 MR. SPATZ: Yeah, that is a --
4 yep. Okay. What I want to say is, there's really
5 typically no support for that because it's a well
6 known thing as communities get denser.

7 MR. KEVIN STROYAN: But none of
8 Milford area that says for that, has anything to do
9 with the public water supply or the Milford Water
10 Authority. So it's a disingenuous statement at
11 best.

12 (Off record discussion.)

13 MR. MAGNOTTA: Go ahead, Kevin.

14 MR. KEVIN STROYAN: It says,
15 loss of recreation and environmental hazards. If
16 there's no substantiation of that statement --
17 several businesses will not stay in business in the
18 area and that it's going to impede economic
19 development. Yet there's no -- there's nothing
20 that substantiates these statements.

21 MR. SPATZ: Well, I don't think
22 the statements are in reference to the township. I
23 believe those are in reference to the Borough.

24 MR. KEVIN STROYAN: They're no
25 -- now wait a second. This stuff is listed

1 directly in where it says no action alternative.
2 It's repeated three times and it's also repeated in
3 the environmental section.

4 MR. SPATZ: I mean, we can take
5 that out. It doesn't matter to me. So, it
6 doesn't --

7 MR. KEVIN STROYAN: Well, I --

8 MR. SPATZ: Ultimately, I guess
9 from the stance of the department, those statements
10 are kind of boiler plate stuff that are just
11 understood. So the department would kind of expect
12 that, but, honestly, I don't think it's critical.
13 I think that just comes from typically what we
14 would, you know, have.

15 MR. KEVIN STROYAN: No, the no
16 action alternative is a three -- I'm sorry.

17 MR. SPATZ: No, but I think what
18 we could do is, if the supervisors wish, you know,
19 it's ultimately up to them. We can look at, you
20 know, we can look at those statements and see if
21 that's what you want the plan to say or not.

22 MR. KEVIN STROYAN: Well, I know
23 in 5.11.5 it also says, unsuitable soil and slope,
24 which doesn't apply to -- you know, we've been told
25 because we've made -- because I personally have

1 made comments during the Borough --

2 MR. SPATZ: Yeah, that's
3 justified, if you look at the --

4 MR. KEVIN STROYAN: I made
5 comments during the Borough's comment period and
6 was basically told -- my response wasn't even
7 answered, but basically was told that it was out of
8 place because I happen to be a tax payer in the
9 Borough, so I didn't really understand that answer.
10 But, I'm trying to say specific to the Township, if
11 that's where we are now, because I've been
12 corrected in the past, so. So this is stuff that's
13 specific to the Township.

14 The other thing that I wanted to
15 make comment about and that I found rather curious
16 is I was at the Milford Municipal Authority meeting
17 this month, and Mr. Tarquinio was there requesting
18 that the authority join in by joint municipal
19 agreement, which I thought was supposed to be part
20 of this plan when it was submitted to DEP.

21 MR. SPATZ: Yeah, it doesn't
22 need to be. Now, we typically don't do that
23 because that is working out the details at a very
24 fine level, when you don't even have a plan
25 approved. Like, you're not even on the same page

1 that you're going to have public sewer yet, let
2 alone it's been approved by the department. Why
3 would you sit down with attorneys and start to work
4 out intermunicipal agreements for --

5 MR. KEVIN STROYAN: I found that
6 curious, but it was presented that this was part of
7 the process that needed to be gone through.

8 MR. SPATZ: It will be. The
9 process of public sewer is a multi-year process.
10 You'll have an --

11 MR. KEVIN STROYAN: I understand
12 that. So you had no knowledge that Mr. Tarquinio
13 was looking to do that?

14 MR. SPATZ: No, he called me.
15 Yeah, he said that he wanted to talk with the
16 authority to get that ball rolling. I told him
17 that over the next, I don't know, over the next
18 year's worth of time, municipalities should start
19 to thinking about that. You know, first a plan
20 needs to be submitted to DEP and then can kind of
21 look at that at a later date. It's not a thing
22 that needs to be completed with the 537 Plan. It's
23 usually staged into the plan itself, into the
24 implementation. Because you have this plan, but
25 then you have implementation. One of the first

1 stages of the implementation, if you look on the
2 executive summary, is working out the
3 intermunicipal agreements. And then after that's
4 done then you can go to the next stages. Again,
5 that's the Borough stuff, that's not really
6 Township.

7 MR. KEVIN STROYAN: Then to
8 summarize it, I personally believe that the
9 impression that is given by this document's
10 statement about the no alternative action is
11 something that, on the face, DEP would take the
12 opinion that this would not be acceptable. So I --
13 it just -- I'm bewildered that there's direct
14 statements that have no foundation in the document.
15 But, I'll move on.

16 MR. MAGNOTTA: Thank you, Kevin.
17 Are there any other comments?

18 Board members? Rachel.

19 MS. HENDRICKS: Yeah, this is
20 Rachel Hendricks, one of the supervisors.

21 I'd like to ask Mr. Spatz about
22 the language that Kevin is referring to in terms of
23 the DEP approval process. When DEP does their
24 review, do they simply accept or reject or do they
25 specifically modify or give, you know, the changes

1 that they require in order to find a level of
2 acceptance?

3 MR. SPATZ: Yeah, they would
4 provide comment. So they would, you know, review
5 the document. If they had questions or comments on
6 certain things, they would provide that and then it
7 would be up to the municipality to respond to
8 those. Typically we help with those responses, but
9 ultimately if it comes down to decisions, then we
10 can't make decisions. Only the supervisors can
11 make the decisions, but we can help guide on like
12 what are they asking for? What are they looking
13 for? Is this a big thing? Should we just change
14 it?

15 A lot of times if we would get
16 comments, I'll typically mark them up in like the
17 headers, like I would just change -- they might
18 comment on like language. We prefer it to say this
19 instead of that. A lot of times, like, all right,
20 okay, it's six and one half, half dozen of the
21 other. Like you could say it multiple ways, it
22 still means the same thing. So you just change it
23 to say whatever. And they might have very specific
24 reasons that, you know, I'm not aware of. Like,
25 hey, this is how we're saying it across the entire

1 state, so we want it to be consistent, you know, on
2 a certain thing or something, which obviously
3 evolves over time since, not that we're not
4 actively engaged in these plans, but it just
5 evolves over time and you find out that the
6 districts are not the same. You know, we're
7 dealing with Northeast, PA district staff changes.
8 So it can change just with staffing changing on
9 what certain people want to see here or what it
10 says. If there's other decisions that are more
11 consequential, then we might need to sit down and
12 talk about those or get on a call. And then if
13 it's of major substance, then we have to have a
14 meeting with the department, the township may need
15 to.

16 I don't see an issue where the
17 Township or the DEP, you know, we're not like
18 setting up to have a situation where we're thinking
19 that DEP is going to come back and say that, you
20 know, the no action alternative is not acceptable.
21 I don't believe that's going to be the case. In
22 our experience with things, we don't see -- you
23 know, when we did the tier 2 assessments on OLDS,
24 you know, there's a couple failures, I think less
25 than a handful within the township, this is that

1 map that we're looking at, but they're not
2 clustered. You know, you don't see a big cluster
3 of failed systems. You know, I think there's --
4 yeah, I think there's less than a handful. I think
5 there's only 2 or 3. So those would just get
6 remedied with the -- you know, by the SEO with the
7 property owner. But ultimately, you know, if we
8 saw like a big handful or a big pattern of red dots
9 on there, then, yes, I think if we would come back
10 and say there's no action alternative, the
11 department would say, hum, I don't know about that.
12 But in this situation, I don't see that being a
13 problem. But, I'm -- you know, I can't speak for
14 the department. So I'm holding my breath. I truly
15 do not feel that they're going to take an exception
16 to that, but if they -- you know, I can't guarantee
17 that.

18 MR. MAGNOTTA: Mark, typically,
19 how long does the department take in reviewing an
20 Act 537 Plan?

21 MR. SPATZ: I would say six to
22 nine months, maybe a year. Northeast PA, though,
23 is notoriously slow, like really bad. So, I don't
24 know. On one breath I know that the department
25 is -- right now I think it's one person seems like

1 with some of the emails from Pat Devitt, so if that
2 stays the same, then I think it would take a long
3 time.

4 If -- I keep hearing about a big
5 surge in funding with the recovery plan and the
6 township may even have got money, I know my
7 township got money, so that may -- I was thinking
8 the other day, I'm like, well, maybe the state will
9 get some money and maybe it'll -- because the
10 department right now with Covid is slow across the
11 board. Everything is really, really slow. It's
12 the one thought that crossed my mind is, well,
13 maybe the state will get some assistance and speed
14 things along. So I would at least plan for a year.
15 It could be longer. They technically have 120 days
16 upon submission and acceptance to provide comment,
17 so we'll see. But there's always little loop holes
18 in those 120-day timeline.

19 MR. KEVIN STROYAN: So who does
20 the department confer with when they have questions
21 or during their review and is there a public
22 comment period with DEP?

23 MR. SPATZ: The department will
24 confer with -- by written letter, and, no, this is
25 the public comment period. If you have substantial

1 changes, so like say the plan would come back and
2 the department -- again, I don't want to do this
3 wrong way, but say the department would come back
4 and say, yeah, you guys need to do public sewer,
5 that would trigger then now having to go back to
6 the public comment period. That's a substantial
7 change. If the department comes back and says,
8 hey, I want you to change this paragraph to say
9 this instead of that and it really kind of means
10 the same thing, there's not another public comment
11 period. So anything of substantial change.

12 Ultimately the township is --
13 it's a -- as always, as I've expressed this
14 multiple times because it's the fact, the township
15 is in control. This is the supervisors' plans.
16 Whatever they want it to say, that's what it will
17 say. They have to adopt it as a resolution, you
18 know, they've adopted the draft to submit to DEP,
19 but there's another part of that, once the document
20 is finalized, you know, a while from now, so
21 ultimately the conversation between, you know, what
22 the plan says and, you know, how to address DEP
23 comments, we will help draft comment responses to
24 those and changes. But, ultimately, the
25 supervisors need to be okay with that.

1 MR. KEVIN STROYAN: If the
2 township chooses to adopt this through ordinance
3 does that give it another public hearing?

4 MR. SPATZ: No. I mean, the
5 ordinance -- the only difference between a
6 ordinance and a resolution -- well, I'm not an
7 attorney, but in this scenario, you're not required
8 to do an ordinance. The biggest difference, what I
9 understand, between an ordinance and a resolution
10 is an ordinance requires a --

11 MR. MAGNOTTA: Public
12 advertising and a public hearing.

13 MR. SPATZ: But the 537 Plan
14 requires public advertisement anyways, so.

15 MR. MAGNOTTA: Right.

16 MR. SPATZ: Now, this, I guess
17 technically, you know, we're looking at adopting
18 this final resolution, so we're in the public
19 comment period for that. This is the public
20 meeting for it.

21 MR. KEVIN STROYAN: So then it
22 doesn't matter when you approve it, a year from now
23 you don't have to revisit it?

24 MR. SPATZ: Revisit what?

25 MR. MAGNOTTA: As far as public

1 comment is concerned, Kevin?

2 MR. SPATZ: Public comment or
3 public hearing.

4 MR. MAGNOTTA: Yeah. No.

5 MR. SPATZ: Correct.

6 MR. MAGNOTTA: That's correct.

7 MR. SPATZ: As long as there's
8 no substantial change.

9 MR. MAGNOTTA: I would also just
10 break in for one minute so that the record is
11 clear, I did get a text from our secretary. Faith
12 Zerbe did send a comment letter. So that'll be
13 forwarded to DEP along with the plan, it will be
14 forwarded to you Mark for a response. She's from
15 the Delaware Riverkeeper network.

16 MR. SPATZ: It's important to
17 understand too what the public response is. Like
18 we get public comments. It's not HRG responding to
19 these. It's the supervisors' responses. We draft
20 them, but ultimately it's the supervisors. You
21 know, if they want to say something different than
22 our draft, I can provide the word doc. What do you
23 want it to exactly say? That's what we will put in
24 there. So it's not -- I think a lot of this
25 process has been looked at -- like HRG, you know,

1 we're given these comments to HRG. HRG is like,
2 no, you're not. You're giving them to the township
3 and the township will, you know, we'll help draft
4 the responses, but ultimately it's whatever the
5 township wants them to say. So, like Delaware
6 Riverkeepers provided public comments and we'll
7 have to put some sort of -- the supervisors will
8 have to put some sort of response in there. Again,
9 we're going to draft as a part of our service, but
10 it's going to ultimately say whatever the
11 supervisors want it to say.

12 Unless, honestly, if you guys,
13 like Rachel or Penny or any of the supervisors, if
14 you -- you know, there's nothing to say that we
15 have to draft out the responses, you guys are like,
16 well, we'd like to just -- and you're obviously
17 more than welcome. I'm more than happy to not
18 draft up responses, but we do do that as a part of
19 the service.

20 MR. KEVIN STROYAN: Yeah, but --
21 so who actually answers the public comment? No
22 one?

23 MR. MAGNOTTA: Supervisors. The
24 supervisors answer the public comment.

25 MR. KEVIN STROYAN: And that's

1 true of the Borough Council as well?

2 MR. MAGNOTTA: Yes.

3 MR. SPATZ: So each municipality
4 responds, but it's important to understand that
5 they're not responding to the commenter, they're
6 responding to the comment and put it in the
7 document and then that goes to the department.
8 See, that's a big difference between like other
9 processes. So for -- I think it's a big difference
10 between like a planning commission. Like a
11 planning commission reviews the land development
12 plan. You have a comment, you need to come to a
13 resolution on that. That's not how 537 works. You
14 have a public comment. We need to address the
15 comment, document it in the plan, but it doesn't
16 need to satisfy the commenter, it just needs to
17 address that comment, which could be, we've taken
18 that comment under consideration, and that's it.
19 That's not a -- it might not be, you know, to the
20 commenter's liking, but that's not what's required.

21 Again, the supervisors are in
22 charge of what this plan says. The intent of the
23 public comment period is to give the supervisors
24 information. Then they will consider that to
25 ultimately produce this plan.

1 MS. HENDRICKS: This is Rachel
2 again. I do think that given that we have chosen
3 the no action alternative, that we should make some
4 adjustments to the language there. I think it's
5 very severe in terms of creating an appearance
6 that, you know, we're really mocking up the works
7 by taking the no action alternative, and I think
8 that we should have more of an explanation there as
9 to, you know, specific to Milford Township. And if
10 it's not, if we can except ourselves out, given
11 that it's a multi-municipal document, and say
12 specifically, Milford Township has chosen this
13 alternative because, then lay it out very clearly,
14 as opposed to, you know, the language, the way it
15 is now, and I understand you're saying it's boiler
16 plate, but it's basically saying, you know, we're
17 choosing the alternative that's going to mock up
18 the public water supply, prevent anyone from using
19 recreational waters, you know, and some other
20 pretty severe things, and I'm not comfortable with
21 that language given that it's what we've chosen.
22 And I think we can make some very minor tweaks to
23 that language and perhaps just add a paragraph that
24 indicates why we felt that alternative was the most
25 appropriate one for our community and have it

1 specific to Milford Township, and I think then it
2 would be acceptable for us.

3 I don't know if Penny and Gary,
4 if you have 5.10 in front of you or in the
5 environmental report 1.2.13 and basically have that
6 same language over again. And also the financial
7 feasibility issue. You know, in this document and
8 in a number of places it indicates that even though
9 community is not viable or the businesses find it
10 to be not viable to continue without that.

11 We've also had businesses and
12 individuals come forward and say that it's not
13 viable for them economically to move forward if
14 they're forced to participate. And I think that
15 that economic issue is one of the reasons that the
16 board of supervisors here chose not to force anyone
17 to hook into the system but to allow it to be by
18 choice, so that we are not placing that as a
19 burden.

20 And I would like to see some
21 language modifications that acknowledge that
22 business viability has been brought up in both
23 directions and that it was not within the scope of
24 this study to adequately assess the businesses'
25 viability. There was nothing done to identify, you

1 know, in depth whether or not there are other
2 alternatives that could suit them. It specifically
3 references several places in the study where, you
4 know, assessing that on an individual business by
5 business basis is not appropriate and not cost
6 effective. But we do keep repeating that it's
7 economically not feasible to move forward as a
8 community without this. So I do note that that
9 business viability question was not part of the
10 scope of the study.

11 MR. SPATZ: Well, I think in the
12 Borough's scenario they're getting that from their
13 comprehensive plan, which is affixed --

14 MR. KEVIN STROYAN: We can't
15 talk about the Borough here.

16 MR. SPATZ: No, I get that, but
17 I think --

18 MR. KEVIN STROYAN: You can't
19 have it both ways, Mr. Spatz.

20 MR. SPATZ: Kevin, come on now.
21 I'm not trying to talk -- the sections that are
22 talking about business viability are specifically
23 within the Borough. So that's where they're
24 referencing to that. I don't believe there's
25 anything in this that's alluding to business

1 viability within the Township.

2 MR. KEVIN STROYAN: In the
3 appendices there are. It's also repeated the
4 economic viability in the appendices, is it not?

5 MS. HENDRICKS: In the
6 environmental report in Section 1.2.13, it has the
7 same language for the no action alternative. And
8 that's what I'm saying. I appreciate what you're
9 saying, Mark, that the references to the businesses
10 in the Borough who question their viability,
11 without the public sewer alternative, but if this
12 language is specifically in the no action
13 alternative, which is the alternative that we've
14 chosen, so --

15 MR. SPATZ: Yeah, no -- I'm
16 definitely clear on the no action alternative part.
17 The thing I'll need some help on is where are we
18 getting that from. So I need some help with the --
19 same thing on the environmental stuff. I know we
20 want to say, well, this doesn't, you know, it's
21 better. There was this thing that was out there,
22 like, oh, well, cess pools are better for the
23 environment. That's not true. So to then -- like
24 it's not going to -- I just don't know how to make
25 that argument.

1 MS. HENDRICKS: I'm sorry, Mark,
2 I don't think we're as far apart as perhaps you're
3 thinking?

4 MR. SPATZ: Okay.

5 MS. HENDRICKS: When we're
6 saying probable degradation of public water, which
7 I think both, you know, as Kevin said, both in
8 Milford and in Matamoras is not likely to be
9 happening with the on-lot density because of where
10 those public water supplies are located. You know,
11 if you use the language to say possible degradation
12 of groundwater, then I think that we're not -- I
13 think that we're in agreement, you know. I think
14 we can move forward with language like that.

15 To say loss of recreational use
16 of waterways, if we said possible loss, you know,
17 there were times without knowing where it's coming
18 from, that the beach in Milford was shut down and
19 we don't know what the source of that is or isn't
20 if we don't know if a public sewer system is going
21 to correct that or not. But we could say possible.
22 I think that, you know, as it pertains to the
23 businesses saying that it's not financially
24 feasible, I just think we need some language that
25 is more inclusive to say and other businesses have

1 expressed concerns that the cost of being part of a
2 central system would hamper their economic
3 viability. Assessing the economic viability of
4 businesses in the area is outside of the scope of
5 the study.

6 So, say, yeah, some are saying
7 yes, also acknowledge that some are saying the
8 opposite, because that is true. And we've had
9 this -- I know I had business owners come forward
10 and express that concern. And perhaps, you know,
11 we're saying in the no action alternative -- in
12 each area that you go through the no action
13 alternative, the last line says that it was
14 rejected in many of the places. It says that it
15 was assessed and rejected, and it wasn't rejected
16 in Milford Township.

17 So if we can say that it was
18 rejected except by Milford Township where it was
19 felt that this alternative allowed for system
20 capacity to be more available for those that needed
21 it and potentially for future growth while limiting
22 negative economic consequences for existing OLDS
23 owners with functioning systems, then I think we
24 have language here that I certainly would be
25 comfortable with as a supervisor who has

1 participated in moving the township in that
2 specific direction of the no action alternative,
3 acknowledging that it's not so much that we're
4 saying, you know, public sewer is the worse thing
5 in the world, we're certainly not saying our
6 community can't survive without it, but we're also
7 saying, hey, forcing people to participate we don't
8 think is the best way to go for our community. We
9 want to make sure that if and when and where it's
10 absolutely needed, that that's where it goes as
11 opposed to just forcing people to sign up to make
12 it a more economically viable project right at the
13 onset. Which it may well happen that way for new
14 projects to start to see as the planning is
15 approved, by the time we get several years down the
16 line where you got a year into it for DEP to
17 approve and then you've got a design phase that
18 could be -- what? -- nine months long, or they
19 build out the Westfall portion over the two years
20 following that, by then you may well have several
21 new entities from the township who are signing up,
22 who are saying to the authority we want to move
23 forward. But we don't want to make everyone along
24 the path who doesn't necessarily need it, sign up
25 just because it's coming and we need to share the

1 cost.

2 I think that's the position,
3 and, Gary and Penny chime in and, you know, let me
4 know if you don't find that to be an accurate
5 statement, but that's certainly how I view it.

6 MR. KEVIN STROYAN: It's very
7 obvious that the supervisors have never stated that
8 they wanted to stand in the way or they wanted to
9 stand in the way of any customer that wanted to
10 hook to the pipe. As a matter of fact, they said
11 that they won't impede that.

12 MS. LUHRS: I would never impede
13 that. If somebody wants to have central sewer in
14 our township and they have to go and do the module,
15 but there's no cost to the township, I think we got
16 the best of both worlds. I really do.

17 MR. KEVIN STROYAN: But to say
18 that it completely impedes the economic
19 development, you got a huge project going on right
20 across the street right now. Econopac is going to
21 do a huge development there, to sustain three
22 shifts over 200 people a shift, 300 people in some
23 shifts. So I agree with Rachel, we have to meet in
24 the middle here somewhere?

25 MR. SPATZ: From my -- Rachel,

1 everything you were saying I think is definitely --
2 we can make those adjustments, and then I'll send
3 it to you guys and we'll hash that kind of stuff
4 out, but it makes a lot of sense.

5 MS. HENDRICKS: Gary, Penny, if
6 you agree, I mean, if you like the language that I
7 just read, I can put that in an email.

8 MS. LUHRS: Absolutely, Rachel.
9 Go ahead and put it in an email. Gary, are you
10 okay with that?

11 MR. WILLIAMS: I'm fine with it.
12 It sounded very good to me.

13 MR. SPATZ: I'm so glad that --
14 it sounded like you were reading something. I'm
15 like, man, I hope she is. Like either she's really
16 good at -- it sounds very smooth.

17 MS. HENDRICKS: Thank you.

18 MR. SPATZ: Yes, that'd be
19 amazing. Thank you.

20 MS. LUHRS: Any more comments?
21 Questions? Concerns?

22 MR. KEVIN STROYAN: I want to
23 thank the supervisors for giving this close
24 attention; Mr. Spatz for his work.

25 MS. LUHRS: Do you have more

1 questions, Kevin, or are you satisfied with
2 everything?

3 MR. KEVIN STROYAN: We sent a
4 lengthy document that has questions about the plan
5 itself, so that's already been done in writing. I
6 don't really want to -- this is the thing of
7 greatest concern to me, what we brought up tonight.
8 I don't want this to be construed the wrong way,
9 that's all.

10 MS. LUHRS: Okay.

11 MR. WILLIAMS: Thank you, Kevin.

12 MS. LUHRS: Mr. Spatz, do you
13 have any more things to add to anything?

14 MR. SPATZ: Not really. I mean,
15 I didn't -- I mean, I guess just the final piece to
16 this, if anybody is interested, this is the -- the
17 appendix section, which we talked about in some
18 detail, you know, has maps of the different
19 alternatives and mostly the map that I think we
20 were on tonight is an Appendix G, if anybody is
21 interested. This has the OLDS assessments. So I
22 think that -- that's not it, that's H. G has the
23 OLDS maps of what systems were surveyed and what
24 their condition are, so I think that's pretty
25 applicable for the township. I'm not going to go

1 through all these in detail, but like Appendix A
2 and B are a lot of -- you can see specifically B,
3 it's a lot of the existing ordinances and
4 comprehensive plans, so there's a lot of paperwork
5 in that, but it's all just documenting existing
6 ordinances that have been passed for years.

7 If you do look at Appendix A,
8 that's basically a regurgitation of what's in the
9 537 Plan itself. The department requires it in two
10 different formats, one is the 537 sewer plan, but
11 then there's the environmental assessment part of
12 it, which is a lot of the same information. So if
13 you see duplicates, it's like, why are we saying
14 this multiple times. It's just how the department
15 requires the format.

16 These other appendices,
17 obviously you can go through. They have a lot of
18 maps for the public sewer alternatives, the costing
19 and flow values and things of that nature. So I
20 think specifically for the township they're not
21 super relevant, but they're in there. Anybody can
22 view them. Again, this link is on the web site.

23 When is the public comment
24 period ending? I think it's the 30th?

25 MR. MAGNOTTA: Let me just check

1 the ad again.

2 MR. SPATZ: Do you have it
3 handy?

4 MR. MAGNOTTA: I do. Hold on
5 one second.

6 MS. HENDRICKS: While we're
7 waiting, this is Rachel. Mr. Spatz, one of the
8 questions that the planning commission had asked
9 was regarding where exactly on West Hartford Street
10 the line was scheduled to stop. And I think the
11 response that we were able to finalize merely said
12 that there would be nothing in the township. We
13 have some common border on West Harford Street
14 where one side of the street remains in the Borough
15 while the other side of the street is in the
16 Township. Can you offer for us any more specifics
17 about where exactly on West Hartford Street the
18 line is scheduled to stop by what the Borough has
19 chosen?

20 MR. SPATZ: Well, either way, if
21 a property owner -- so the lines -- we do not have
22 any properties that were tagged as Westfall
23 Township properties anticipated to connect to the
24 line, regardless of where it stopped in that area,
25 because that would mean they'd have Westfall --

1 Milford Township, I apologize. We did not have any
2 properties that were tagged as Milford Township
3 properties. And what I mean by tagged is, you
4 know, we're getting GIS data from the county.
5 Right? It assigns a parcel to each municipality.
6 So any of the properties that were tagged to be --
7 that are in Milford Township, were not anticipated
8 to connect because that would then mean public
9 sewer in Milford Township. So, again, they're
10 following the no action alternative, which is, you
11 know, to remain on their private system. Does that
12 make sense? The line will not go outside of the
13 Borough as anticipated right now.

14 And not that a 537 Plan is
15 really to that level of detail, like where is it
16 exactly going to stop. But the Borough would have
17 no jurisdiction to put a sewer line in the
18 Township, so it's not going to go in the Township,
19 unless the Township would want it to. If that
20 makes sense.

21 MS. HENDRICKS: I understand
22 what you're saying. I'm just referring to the fact
23 that one side of the street remains in the Borough
24 while the other side of the street is in the
25 Township, and so it's certainly of interest if the

1 line is going to come past there, especially as we
2 do potentially have people who may come forward
3 later. And as a supervisor, I'd just like to be in
4 the know about whether the line is going to come
5 through those neighborhoods. You know, the
6 individuals, they don't always look at it the same
7 way that we do in terms of where the municipal line
8 stops, especially if the service or the
9 construction is going to impact them.

10 MR. SPATZ: Yeah, so as of right
11 now, from a fundamental standpoint of what they
12 would need to do, if the lines -- so if you have --
13 so if it's a situation -- and I'm going to try to
14 find a map as we're talking here. If the situation
15 were as half of the street is in the Borough and
16 half is in the Township and the line's going down
17 the street, and it's tagged as a Borough street or
18 a state street, it's just as fine, it's a state
19 right of way, the properties within the Borough are
20 likely going to need to connect. The properties
21 within the Township will have the option to connect
22 because we talked about the planning module option.
23 So they're not anticipated to connect, so we're
24 not -- we didn't add those flows in and things like
25 that. Not that flow is really a problem. We're

1 not that -- you know, it's not like things are that
2 tight and slow, but then those properties would
3 need to do some sort of module or something.

4 The way the plan is right now,
5 those properties would need a module or something
6 to be able to connect in the system. And, of
7 course, the Borough would need to -- there'd have
8 to be some agreements then too as well, because
9 obviously then the Borough authority is going to be
10 charging them a rate. Right? So they'll see
11 they're going to be doing billing to properties
12 within the township for sewer. The supervisors
13 will need to agree to that first. So that that
14 would need to occur. And then those properties
15 would need to do a module to connect.

16 537 Plans are a living document
17 too, so years from now, when this comes together,
18 if the township says, you know what, we'd like to
19 just have them all connect and so that each
20 property doesn't need to do a module. You could
21 just do a component 3M which is like a municipal
22 planning module basically, and have them all
23 connect at one time. It could be optional. It
24 could be mandatory. Again, it's up to the
25 supervisors of how that would work. And, again,

1 understanding it's the Borough's sewer line, cause
2 they're going to pay to build it, then they would
3 have to agree to serve those customers too. So
4 it's kind of a two-way street. Does that make
5 sense? You guys would have to approve it. The
6 supervisors would have to approve it from the
7 Township. The Borough would have to approve it as
8 well since -- and the authority since they're the
9 arm of the Borough that's building the line.

10 MR. MAGNOTTA: Mark, before I
11 forget, I just wanted to answer that question. The
12 comment period ends March 31st.

13 MS. LUHRS: Thank you, Tony.
14 Any other comments. Thank you, Mr. Spatz. Thank
15 you everyone that's come. At this time do you have
16 anything, Tony?

17 MR. MAGNOTTA: I do not. Just
18 need a motion to adjourn.

19 MS. LUHRS: I make a motion that
20 we adjourn.

21 MR. WILLIAMS: I will second
22 that motion.

23 MS. LUHRS: All in favor?

24 MR. WILLIAMS: Aye.

25 MR. HENDRICKS: Aye.

1 MS. LUHRS: Thank you everyone.

2 MR. MAGNOTTA: Thank you. Have

3 a good night. Happy Easter everyone.

4 MS. LUHRS: Happy Easter.

5 (Hearing concluded at 7:54 p.m.)

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7 I hereby certify that the
8 proceedings and evidence are contained fully and
9 accurately in the notes taken by me at the hearing
10 in the above matter; and that the foregoing is a
11 true and correct transcript of the same.
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14

15 JOSEPHINE HOLLMAN, C.R.
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