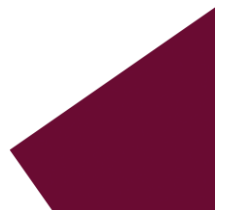


Appendix L: Planning Agency Review and Comments





Herbert, Rowland & Grubic, Inc.
501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

October 4, 2024

Chairperson
Matamoras Borough Planning Commission
10 Avenue I
Matamoras, Pennsylvania 18336

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Act 537 Sewage Facilities Plan for your review and comment. A copy of the Act 537 Plan can be viewed/downloaded at:

<https://hr3.box.com/s/jkzsinea5feq0osv2a2uz28v64cseflg>

Please submit any comments on the Plan in writing within sixty calendar days. If sixty (60) calendar days pass, it is assumed that there are no comments. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Municipalities will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Matthew Roberts".

Matthew Roberts, E.I.T.
Staff Engineer II

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October 18, 2024

Matamoras Borough Council
10 Avenue I
Matamoras, PA 18336

RE: Regional Act 537 Plan – Eastern Pike County

Dear Council Members:

The above referenced plan has been updated to address the issues raised in the PaDEP Denial Letter dated October 23, 2023. As requested, we have reviewed the above referenced plan prepared by Herbert, Rowland & Grubic, Inc. dated September 2024 and have the following comments:

Chapter 1:

1. 1.2.2.2.a – The Plan should reference the updated Final Draft of the Imagine Pike 2035 Comprehensive Plan dated May 21, 2024.
2. 1.2.2.3.a – While not finalized, this section should reference the current process of updating the Matamoras Borough – Westfall Township Comprehensive Plan.
3. Table 1-1 – The appropriate municipality should be listed in the table.

Chapter 4:

4. 4.1.1 – It should be noted that the Matamoras Borough – Westfall Township Comprehensive Plan is in the process of being updated.
5. Page 4-3 – The last paragraph should include the Katz reserve sewage flow in GPD (340 EDU's @ 200 GPD = 68,000 GPD).
6. 4.1.3 - The Plan should reference the updated Final Draft of the Imagine Pike 2035 Comprehensive Plan dated May 21, 2024.
7. 4.5 - What mechanism will require existing OLDS properties as shown in Appendix E to connect to the proposed sewer expansion.
8. 4.5 & Table 4.11 – Wastewater Flows should include the Katz reserve sewage flows.

Chapter 5:

9. Table 5-1 - The sewage reserve for the Katz development should be included in this table.

Regional Act 537 Plan – Eastern Pike County

October 18, 2024

Page 2

Appendix N:

10. Remove the reference to Milford Township throughout the agreement.

11. The October 23, 2023, Denial Letter specifically states that *“an implementable plan cannot be contingent on funding sources or an executed inter-municipal agreement”*. The inter-municipal agreement shall be executed prior to the plan being submitted to PaDEP.

If you have questions or require further information, feel free to contact me.

Best regards,



Louis J. Cozza, Project Manager for
Kiley Associates, LLC
Borough Engineer

Westfall Township, Milford Borough, and Matamoras Borough

Response to Matamoras Planning Commission Comments

December 12, 2024

We have reviewed the letter from Louis J. Cozza on Behalf of Matamoras Borough Planning Commission from October 18, 2024, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. The Plan has been updated to reference the Imagine Pike 2035 Comprehensive Plan.
2. The Plan has been updated to mention that the Matamoras Borough-Westfall Township Comprehensive Plan is in the process of being updated.
3. Table 1-1 has been updated to include municipality.
4. The Plan has been updated to note that the Matamoras Borough Westfall Township Comprehensive Plan is being updated.
5. Acknowledged. The Katz reserve sewage flow has been mentioned in GPD on Page 4-3.
6. The Plan has been updated to reference the Imagine Pike 2035 Comprehensive Plan.
7. Milford Borough and Matamoras shall pass mandatory connection ordinances as mentioned in Chapter 5. Westfall Township already has a mandatory connection ordinance as discussed in Chapter 5 Section 5.9 Non-Structural/ Planning Activities.
8. Table 4.11 refers to the Wastewater Flows from the Proposed Alternatives in the Study Area. The Katz Development is outside of the Study Area and not in a proposed alternative, so it is not shown on Table 4.11. It is instead included on Table 5-1.
9. Sewage reserve for Katz development has been included in the updated table (5-1).
10. Milford Township has been removed from Draft IMA.
11. DEP has indicated in subsequent meetings and correspondence that language in the Plan stating that it is contingent on an Executed Intermunicipal Agreement should be removed, which it has been. However, they have indicated that a draft IMA is acceptable at the Planning Level and can be finalized after the Plan is approved in accordance with the implementation schedule.



Herbert, Rowland & Grubic, Inc.
501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

October 4, 2024

Chairperson
Milford Borough Planning Commission
500 Broad Street
Milford, Pennsylvania 18337

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Act 537 Sewage Facilities Plan for your review and comment. A copy of the Act 537 Plan can be viewed/downloaded at:

<https://hrg3.box.com/s/jkzsinea5feq0osv2a2uz28v64cseflq>

Please submit any comments on the Plan in writing within sixty calendar days. If sixty (60) calendar days pass, it is assumed that there are no comments. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Municipalities will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Matthew Roberts".

Matthew Roberts, E.I.T.
Staff Engineer II

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Borough of Milford

Planning Commission

Commonwealth of Pennsylvania



500 Broad Street Milford, PA 18337
570-296-7140

October 14, 2024

Dear Borough Council:

The Milford Borough Planning Commission met on September 30 and October 14, 2024 to discuss the latest Draft Regional ACT 537 Plan for Central Sewage in the Borough of Milford. The Planning Commission reviewed the Plan, and specifically Option 4B, to assess the consistency of this central sewage option with Borough Zoning, SALDO, and the Milford Borough 2021 Comprehensive Plan.

A quorum was present at the October 14th meeting and the following comments and recommendations to Council on the Act 537 Plan were agreed upon unanimously.

- There is No conflict with Zoning, or SALDO ordinances in the Borough code.
- There is No conflict with the 2020-21 Comprehensive Plan. In fact, the 2020 survey showed over 60% of those with an opinion favored centralized wastewater treatment for the commercial district.
- The Commission recommends the Council vote to accept this Regional Act 537 Plan for Milford Borough.

Going forward the Commission recommends the following once a Central sewage system has been approved/implemented in the Borough to be consistent with the Plan:

- Establish an ordinance that mandates hookup for buildings along the route.
- Establish an ordinance for OLDS maintenance
- Amend ordinance CH 312 33 S to include discharge rules for a central sewage system in accord with DEP and local sewer authority requirements.
- Provide education to the public on maintaining their system whether OLDS or Central.

Respectfully,
Barbara Tarquinio
Chair Milford Borough Planning Commission

Westfall Township, Milford Borough, and Matamoras Borough

Response to Milford Borough Planning Commission Comments

December 12, 2024

We have reviewed the letter from Barbara Tarquino and the Milford Borough Planning Commission dated 10/14/2024, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. There are no conflicts with Zoning or SALDO.
2. Acknowledged. There are no conflicts with the Milford Borough Comprehensive Plan.
3. Acknowledged. The Commission is recommending the Plan to the Council.
4. Acknowledged. A mandatory connection ordinance is recommended after the Plan is approved.
5. Acknowledged. An OLDS management ordinance is recommended.
6. Acknowledged. Ordinance is recommended after the Plan is approved.
7. Acknowledged. Education shall be provided to the public on maintaining sewer systems.



Herbert, Rowland & Grubic, Inc.
501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

October 4, 2024

Mr. Kevin Stroyan, Chairman
Milford Township Planning Commission
560 Route 6/209
Milford, Pennsylvania 18337

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Act 537 Sewage Facilities Plan for your review and comment. A physical copy of the Act 537 Plan is being sent via Certified Mail as well as it can be viewed/downloaded at:

<https://hr3.box.com/s/jkzsinea5feq0osv2a2uz28v64cseflq>

Please submit any comments on the Plan in writing within sixty calendar days. If sixty (60) calendar days pass without response, it will be assumed that there are no comments. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Municipalities will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Matthew Roberts".

Matthew Roberts, E.I.T.
Staff Engineer II

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ANTHONY J. MAGNOTTA, ESQUIRE

ATTORNEY AT LAW

HISTORIC SILK MILL
8 SILK MILL DRIVE, SUITE 215
HAWLEY, PENNSYLVANIA 18428

TELEPHONE: 570-226-5700

FACSIMILE: 570-226-5654

EMAIL: CONTACT@MAGNOTTALAW.COM

December 4, 2024

Via First-Class Mail & Email: csalmon@hrq-inc.com

HRG Engineering
Attn: Cory Salmon, P.E., PMP
PO Box 504
Clarks Summit, PA 18411

RE: Eastern Pike County Regional Act 537 Plan

Dear Mr. Salmon:

I am writing to you in my capacity as Solicitor for the Milford Township Planning Commission and Milford Township Board of Supervisors. Please be advised that the Planning Commission has authorized me to correspond to you after their review of the Eastern Pike County Regional Act 537 Plan Submittal from HRG.

The Planning Commission has found a number of ambiguities in the Act 537 Plan. Chapter 8, of the Act 537 Plan indicates that Milford Township is not part of the Act 537 Plan and that no connections are anticipated from the Township. That section identifies that the force main which will run through Milford Township, along Routes 6 & 209, is only a projected transmission line, meaning that no connections are permitted as part of the planning effort. Future connections would only be considered through a separate formal planning submission such as an Act 537 Plan Special Study to PADEP.

Comment 1

Although Chapter 8 identifies that Milford Township is not part of the planning effort, Appendix N and other references in the Act 537 Plan refer to an Intermunicipal Agreement indicating that Milford Township would bear responsibility for a proportionate share of the cost for design, installation and/or maintenance and repairs of the subject transmission line through their municipality. This language appears despite the fact that on July 15, 2024, the Board of Supervisors of Milford Township voted to and notified all parties that they are withdrawing from the Intermunicipal Agreement, which you have attached as Appendix N. These references to the Intermunicipal Agreement and responsibility for cost are contrary to Milford Township's Notice to Withdraw. Based upon the above, Appendix N needs to be either revised or removed from the Act 537 Plan.

Comment 2

Any discussion regarding equal responsibility for the conveyance line planning, design, installation or maintenance expenses implying that Milford Township will be responsible for, needs to be removed from the Act 537 Plan.

This ambiguity continues, in that, the Plan indicates that the Borough of Milford Water Authority which is a Municipal Authority of Milford Borough will be responsible for the design, installation, and maintenance of the subject transmission line from the Westfall Township line to the Milford Borough line. Clearly, statements regarding Milford Township's responsibility for cost must be removed or in the alternative, the Notice of our withdrawal from the Plan should be attached to Appendix N.

Comment 3

These statements are also contrary to the Executive Summary, indicating that all of the municipal authorities involved in the Plan and their ratepayers shall be solely responsible for the cost of any upgrades necessary for implementation of the project by the Westfall Township Sewer Authority.

Comment 4

In addition, the Act 537 Plan broadly mentions that OLDS Management Ordinances must be provided for all participants. This broad statement could impliedly include Milford Township users along Routes 6 & 209. This ambiguity must be clearly defined before the Plan is submitted to PADEP. The continuing references in the Plan regarding possibility of connections in Milford Township if additional submissions are made to DEP are contrary to the statement in the Executive Summary indicating that no connections will be made in Milford Township. These references are not only confusing but imply that Milford Township is part of the Act 537 Plan despite other references in

the Plan indicating that Milford Township will not be allowed to connect to the transmission line without planning. These references to OLDS Ordinances should not include Milford Township. Frankly, since Milford Township is not part of the Act 537 Planning process, the Plan should not set forth any obligations of the Township and should clearly state that the Plan does not cover Milford Township.

Comment 5

Finally, there are confusing references in the Act 537 Plan as to the intention of the plans. It is my understanding that the goal of all Act 537 Planning is to plan for the sewage needs of the future for the particular planning area. Upon my review, I have found that it appears that a large portion of Milford Borough and a portion of Matamoras Borough are not included in the planning area.

The Act 537 Plan has also been reviewed by our Township Engineer, John D. Fuller, P.E. and a copy of his November 14, 2024, letter is attached hereto and incorporated herein.

I would request that these comments be incorporated into the Plan and the public hearing for the Plan and make it clear that:

Comment 6

1. That Milford Township is not covered by any portion of the Eastern Pike Regional Act 537 Plan.

Comment 7

2. That Milford Township is not a participant in the Intermunicipal Agreement and that said Intermunicipal Agreement, attached as Appendix N, should be removed or Milford Township's Notice to Withdraw should also be appended. Further, Milford Township undertakes no responsibility for costs, for the design, installation, maintenance or repair of any subject transmission line, which may run through the municipality.

Comment 8

3. That there be a clear delineation that the ratepayers who will be serviced by the system are solely responsible for the cost of the design, installation, and repair of the subject transmission line and any upgrades that may need to be made to the Westfall Municipal Authority Treatment Plant.

Comment 9

Also, the Planning Commission has requested clarification on how the recalculation of fees were done and whether any of the \$11 Million, which has been included in this plan is for repair to the existing plant.


Comment 10

Given that Milford Township residents and businesses are ratepayers of the Milford Water Authority for water provision, the Board

of Supervisors have expressed concerns for the Milford Water Authority's cash flow planning as to the substantial upfront costs it will bear as a result of this Plan and also that any new Intermunicipal Agreement between the authorities delineating such obligations be provided in draft form for their comment prior to its execution by the Milford Water Authority.

Thank you for your cooperation and assistance with respect to this matter. If you have any questions, please do not hesitate to contact my office or the Milford Township Planning Commission.

Sincerely,



Anthony J. Magnotta, Esquire

AJM/crm

Enclosures

- cc:
- ° Milford Township Planning Commission
 - ° Milford Township Board of Supervisors
 - ° Pennsylvania DEP, C/O Scott Novatnak
 - ° Krista Gromalski, Chief Clerk, County of Pike
 - ° Mike Mrozinski, Pike County Office of Community Planning
 - ° Matthew M. Osterberg, Chairman, Pike County Board of Commissioners
 - ° Ronald R. Schmalzle, Vice-Chairman, Pike County Board of Commissioner
 - ° Christa L. Caceres, Pike County Board of Commissioners
 - ° Milford Borough Secretary
 - ° Matamoras Borough Council, Marianne Brown, Borough Secretary,
 - ° Westfall Township, Kaitlin Hildebrandt, Secretary

ANTHONY J. MAGNOTTA, ESQUIRE
ATTORNEY AT LAW

HISTORIC SILK MILL
8 SILK MILL DRIVE, SUITE 215
HAWLEY, PENNSYLVANIA 18428

TELEPHONE: 570-226-5700 FACSIMILE: 570-226-5654
EMAIL: CONTACT@MAGNOTTALAW.COM

July 15, 2024

Milford Township Board of Supervisors
Post Office Box 366
Milford, PA 18337

Re: Milford Township
Intergovernmental Agreement for Eastern Pike County Regional Act 537 Plan

Dear Supervisors:

On February 1, 2019, more than 5 years ago, the Milford Township Board of Supervisors entered into an Intergovernmental Agreement which had as its purpose to determine whether the Westfall Municipality Authority should expand service to additional areas in Westfall Township, Milford Township, Milford Borough and later, Matamoras Borough. Paragraph 1 of that Agreement indicates that the recitals set forth above are hereby incorporated by reference into the terms of this Agreement.

Paragraph 3 causes a feasibility study to be done to determine the capacity needed to serve the areas of the Borough and Milford Township that they want to have served **with sewage collection.** . . .

Paragraph 4 indicates that the parties will do a cost feasibility study to evaluate the cost of implementing the extension project and develop a plan for how those costs would be allocated in an equitable manner **satisfactory to all parties.**

Paragraph 8 indicates that prior to going forward with work to be done pursuant to this Agreement, the parties will determine if they can obtain funding for the studies and/or the Regional 537 Plan from grant sources and, if such grant sources are insufficient, how the cost of this initial work will be paid.

The last WHEREAS clause indicates as follows:

"WHEREAS, the parties hereto are entering into this Agreement pursuant to the Intergovernmental Cooperation Act, 53 Pa. S.C. Sections 2301 et seq., for the purpose of agreeing on the procedures to evaluate the feasibility of the extension project and to go forward with the Westfall/Milford 537 Plan, if the parties determines that the project is feasible.

On July 14, 2020 a draft of the plan was presented to DEP. On October 20, 2021 DEP issued a letter of incompleteness to HRG, the engineer working on the plan. On October 26, 2021, HRG sent a letter to DEP indicating to them that they had not evaluated the plan within 120 days and HRG considered the plan to be deemed approved. On August 2, 2022, DEP once again issued a letter of incompleteness. On January 5, 2023, Milford Township forwarded correspondence to the neighboring municipalities indicating that there were significant issues with the plan. On March 2, 2023 HRG submitted the draft plan for the first time to the Delaware River Basin Commission. On October 23, 2023 HRG received a denial letter from DEP. Since that date, there have been meetings between HRG and DEP. Milford Township has been unable to attend all the meetings, however, from the tone of the meetings, it appears as though Milford Township is being requested to provide for 25% of an additional \$55,000 being requested by HRG by a letter dated June 28, 2024 to the Pike County Commissioners.

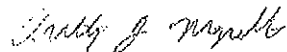
Based upon the above, in excess of 5 years has passed from the time that Milford Township originally agreed to become part of the Agreement. During those 5 years, Milford Township has never waived in its position that a sewage collection line may proceed through the Township, however, the Township will not mandate any customer to hook-up to that system unless they voluntarily do so. Based upon emails between the parties, it appears as though the DEP will not allow property owners to connect voluntarily. Rather, the Plan must include the delineation of the proposed sewer service area down to the parcel level, including all the properties in Milford Township that will be serviced by/will be required to be connected to the proposed sewer system.

Based upon the above, it would appear first, that the plan currently being drafted, is not feasible for Milford Township. Second, it would appear that 25% of all costs assessed going forward is not a feasible cost study and therefore violative of paragraph 4 "the parties will do a cost feasibility study to evaluate the cost of implementing the extension project and develop a plan for how those costs would be allocated in an equitable manner satisfactory to all parties. In addition, paragraph 8 has been violated since there has been no determination if additional sources of grants are available and no determination on how the additional work will be paid for in an equitable manner. Finally, the WHEREAS clause indicating that the parties must determine that the project feasible is at issue herein. Clearly, forcing Milford Township to require owners of the property within the Township to hook-up to a proposed sewer system is against the core principle of the original Agreement.

Therefore, I believe that there are sufficient grounds to withdraw from the Intergovernmental Agreement. In the event that the other municipalities decide to block Milford Township from leaving the Intergovernmental Agreement, Milford Township may desire to pass an ordinance repealing the Intergovernmental Agreement for the reasons that it has expended sums for 5 years without any plan being deemed complete by DEP. I do not believe that a Court sitting in equity would blame the Township based upon the testimony and based upon the Agreement, however, as with any litigation, there is always a possibility that the Court will rule against the Township and award attorney's

fees to the other remaining townships. This case will undoubtedly put the Pike County in a state of conflict and will probably be heard by a judge from another county. Thank you for your cooperation and assistance.

Sincerely,


Anthony J. Magnotta, Esquire

AJM/jsr
Enclosure

John D. Fuller, P.E., P.C.

CIVIL & STRUCTURAL ENGINEERING

November 14, 2024

Milford Township Planning Commission
PO Box 366
Milford, PA 18337

RE: Eastern Pike County Regional Act 537 Plan

Dear Planning Commission:

I have been asked to review and comment on the Eastern Pike County Regional Act 537 Plan. I am in receipt of the Act 537 Plan Chapters 1 through 8, Appendices A through Q and Exhibits A through J prepared by Herbert, Rowland & Grubic, Inc., dated September 2024.

The purpose of the Act 537 plan is to address the wastewater disposal needs of Matamoras Borough, Milford Borough and portions of Westfall Township. It is my understanding that Milford Township has chosen to "opt-out" of the proposed sewage facilities.

After a brief review of the document, I offer the following comments for the Planning Commission to consider:

Comment 11

- Milford Township should be excluded from the maintenance of the infrastructure.

Comment 12

- Milford Township should not be responsible for any costs associated with the installation of the infrastructure and any future upgrades to it and the treatment facility.

Comment 13

- If a particular development or developer within Milford Township has the desire to tie into the sewer system, then they should be allowed to do so at their own cost to install and maintain the necessary infrastructure.

The above items represent my professional opinion based on the materials provided. A more detailed review may be provided upon request. Should you have any questions regarding this letter, please feel free to contact me.

Sincerely,



John D. Fuller, P.E.

Tel: (845) 856-1536

4 South Street, Port Jervis, NY 12771

Fax: (845) 858-2419

Email: johnfullerpc@gmail.com

Westfall Township, Milford Borough, and Matamoras Borough

Response to Milford Township Board of Supervisors/ Milford Township Planning Commission Comments

December 12, 2024

We have reviewed the letter from Anthony J. Magnotta, Esquire on Behalf of Milford Township Board of Supervisors and Planning Commission dated 12/04/2024, regarding the Eastern Pike County Regional Act 537 Plan project. Comments #1-10 are directly from this letter. Comments #11-13 are from the enclosed letter from John D. Fuller, PE. Our responses are indicated below.

1. Acknowledged. The Plan clearly indicates that Milford Township is not a participant. Appendix N which includes the draft Intermunicipal Agreement (IMA) has been updated to remove any references to Milford Township and the Milford Township's Notice to Withdraw Letter has been added to Appendix N.
2. Milford Water Authority is the selected institutional alternative. It is stated throughout the Plan and in the Executive Summary that Milford Township is not responsible for any costs such as planning, design, installation, maintenance, etc. Appendix N has been updated as noted in Response #1.
3. Each Structural Alternative is being implemented by a different institutional Alternative. The costs are to be shared among ratepayers for each structural alternative, and there is no mention of any necessary upgrades in the Executive Summary or the Plan to upgrade the Municipal Authority of the Township of Westfall's facilities because no upgrades are required as part of the implementation of the Plan.
4. The references to Milford Township are further affirmations that while there is a force main in Milford Township, Milford Township is not a participant of the Plan, so there are no planned connections. The Plan explicitly states that only Milford Borough, Westfall Township, and Matamoras Borough shall adopt an OLDS management ordinance. A sentence has been added indicating that this does not apply to Milford Township since they are not a part of the Plan.
5. The entirety of Milford Borough and Matamoras Borough are Planning areas in the Plan. As a result, they were fully evaluated. However, only a portion of them were determined to have needs for sewer. For the areas not in sewer service area in the Plan, an OLDS Management Ordinance has been selected which would apply to the entirety of both Milford and Matamoras Borough. In addition, the immediate needs areas were identified in both Boroughs and were determined based on a variety of factors such as OLDS survey data, soil data, zoning, and lot sizes. The commercially zoned areas in both Boroughs were identified as higher priority needs areas. In Matamoras Borough, the proposed sewer service area also included some residential areas based on the OLDS Data and historical issues. In Milford Borough, the SALDO and Zoning Ordinances have stricter restrictions on property usage and density. In addition, an analysis of the lot sizes was included in Chapter 3 of the Plan, which showed that in the residential areas, there should be adequate space for an OLDS replacement in Milford Borough. As part of the updated implementation schedule, a Special Study shall be conducted in Milford Borough to monitor the shallow groundwater and evaluate the groundwater for Nitrates. This would identify any subsurface issues that were not able to be determined during the OLDS inspections.
6. Acknowledged. Milford Township is not covered by any portion of the Eastern Pike County Regional Act 537 Plan. A statement has been added to explicitly state that in the Executive Summary.
7. Appendix N has been updated to remove Milford Township from the Draft IMA and to include the Withdrawal Letter. As stated in the plan, Milford Township bears no responsibility for the design, installation, maintenance or repair of the transmission line, and Milford Township has no overall responsibility for any Plan costs.
8. Milford Water Authority is the selected institutional alternative. It is stated throughout the Plan and in the Executive Summary that Milford Township is not responsible for any costs such as planning, design, installation, maintenance, etc. As the selected institutional alternative, Milford Water Authority is responsible for those costs. Appendix N has been updated as noted in Response #1. Per

Pennsylvania Public Utility Commission Law and Regulations, separate budgets are required for water and sewer. As a result, the constituent ratepayers under the provisions of the Plan serviced by Milford Water Authority would only be the sewer users based upon the sewer budget. No upgrades are required to the Municipal Authority of the Township of Westfall Wastewater Treatment Plant at the time of the Plan.

9. There is no \$11,000,000 cost in the Plan. However, the cost breakdowns for each structural alternative considered are included in Chapter 5. In addition, as stated in the Plan in Chapter 5, no plant upgrades are required to implement the Act 537 Plan since there is adequate capacity at the Plant. As a result, no costs are associated with upgrading the Plant. Per recent Chapter 94 reporting evaluations, the existing plant has been determined to be in overall good operating condition and no repair(s) are presently anticipated.
10. As noted in the implementation schedule, the Milford Water Authority will apply for grants and low interest loans. The payment on the loans would not begin until the connections are completed. The Milford Water Authority maintains separate accounting entries for all wastewater related activities and will not charge the current water system users for the costs incurred by the wastewater system construction. This is required by Pennsylvania Public Utility Commission regulations.
11. Milford Township is excluded from the maintenance of the infrastructure as noted in the Executive Summary as well as throughout the Plan. Milford Water Authority is responsible for this maintenance of the infrastructure.
12. Milford Township is not responsible for any costs associated with the installation of the infrastructure and any potentially identified, future upgrades to both it and/or the treatment facility.
13. If a developer or development in Milford Township wishes to tie into the sewer system, that developer or entity shall make a separate formal planning submission to DEP as noted in the Plan, with the understanding that this would be done at their own cost to install and maintain the necessary infrastructure.



Herbert, Rowland & Grubic, Inc.
501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

October 4, 2024

Mr. Michael Mrozinski, Planning Director
Pike County Office of Community Planning
837 Route 6, Unit 3
Shohola, Pennsylvania 18458

Re: Eastern Pike County Regional Act 537 Plan

Dear Mr. Mronzinski and Members of the Community Planning Office:

On behalf of Westfall Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Act 537 Sewage Facilities Plan for your review and comment. A copy of the Act 537 Plan can be viewed/downloaded at:

<https://hrg3.box.com/s/jkzsinea5feq0osv2a2uz28v64cseflq>

Please submit any comments on the Plan in writing within sixty calendar days. If sixty (60) calendar days pass, it is assumed that there are no comments. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Municipalities will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Matthew Roberts".

Matthew Roberts, E.I.T.
Staff Engineer II

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Pike County Planning & Mapping

506 Broad Street

Milford, PA 18337

(P) 570-296-3500 (F) 570-296-3501

(E) planning@pikepa.org

December 5, 2024

Ms. Kaitlin Hildebrandt, Secretary
WESTFALL TOWNSHIP
Box 247
Matamoras, PA 18336

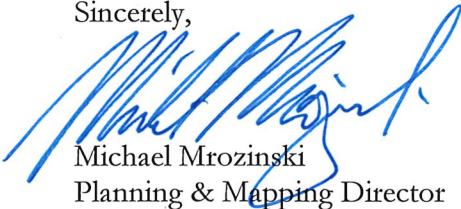
Re: Eastern Pike County Regional Act 537 Plan
Dated September 2024
Pike County Planning Tracking # 24-111

Dear Ms. Hildebrandt,

The Pike County Office of Community Planning, the Official County Planning Agency pursuant to County Ordinance #14 and Act 247, the Pennsylvania Municipalities Planning Code, as amended, has reviewed the proposed Eastern Pike County Regional Act 537 Plan and has no comment.

Our office finds the plan to be consistent with the Pike County Comprehensive Plan and municipal ordinances. Revisions to this plan must be submitted to, and reviewed by, our office. If you have any questions regarding this matter, please feel free to contact me at 570-296-3500 and reference the above Planning Tracking Number.

Sincerely,



Michael Mrozinski
Planning & Mapping Director

Email: Westfall Township Board of Supervisors
Matamoras Borough Council
Milford Borough Council

Westfall Township, Milford Borough, and Matamoras Borough

Response to Pike County Planning Commission Comments

December 12, 2024

We have reviewed the letter from Michael Mronzinski on behalf of Pike County Planning Commission from December 5, 2024, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. As Noted in the letter, there are no comments, and the Act 537 Plan is consistent with the Pike County Comprehensive Plan and municipal ordinances

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Herbert, Rowland & Grubic, Inc.
501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

October 4, 2024

Chairperson
Westfall Township Planning Commission
102 La Barr Lane
Matamoras, Pennsylvania 18336

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Act 537 Sewage Facilities Plan for your review and comment. A copy of the Act 537 Plan can be viewed/downloaded at:

<https://hr3.box.com/s/jkzsinea5feq0osv2a2uz28v64cseflg>

Please submit any comments on the Plan in writing within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Municipalities will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Matthew Roberts".

Matthew Roberts, E.I.T.
Staff Engineer II

MNR
003054.0448

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SUPERVISORS OF WESTFALL TOWNSHIP

102 LaBarr Lane
P.O. Box 247
Matamoras, PA 18336
(570) 491-4065 Fax (570) 491-6353

October 23, 2024

Robert Llewellyn, Chairman
Westfall Township Board of Supervisors
P.O. Box 247
Matamoras, PA 18336

RE: Eastern Pike County Regional Act 537 Plan

Dear Mr. Llewellyn:

Please be advised that a motion was made and carried at the Regular Planning Meeting held on October 22, 2024, to recommend approval of the above referenced Eastern Pike County Regional Act 537 Plan with all comments referenced in the Kiley Associates, LLC correspondence dated October 17, 2024, and noting that this plan may result in future expenses to the Township for enforcement purposes.

Therefore, we have forwarded this plan, and review/comment letter dated October 17, 2024, as sent by Kiley Associates, LLC. This matter has been added to the November 4, 2024, Regular Supervisors Meeting Agenda.

Very truly yours,

Kaitlin Hildebrandt, Secretary
Westfall Township Planning Commission
CC: Herbert, Rowland & Grubic, Inc.
ATTN: Matthew Roberts, E.I.T.
501 Allendale, Suite 203
King of Prussia, PA 19406
Enclosure

October 17, 2024

Westfall Township Planning Commission
102 LaBarr Lane
P.O. Box 247
Matamoras, PA 18336

RECEIVED
OCT 17 2024
WESTFALL TOWNSHIP

RE: Regional Act 537 Plan – Eastern Pike County

Dear Planning Commission:

The above referenced plan has been updated to address the issues raised in the PaDEP Denial Letter dated October 23, 2023. As requested, we have reviewed the above referenced plan prepared by Herbert, Rowland & Grubic, Inc. dated September 2024 and have the following comments:

Chapter 1:

1. 1.2.2.2.a – The Plan should reference the updated Final Draft of the Imagine Pike 2035 Comprehensive Plan dated May 21, 2024.
2. 1.2.2.3.a – While not finalized, this section should reference the current process of updating the Matamoras Borough – Westfall Township Comprehensive Plan.
3. Table 1-1 – The appropriate municipality should be listed in the table.

Chapter 4:

4. 4.1.1 – It should be noted that the Matamoras Borough – Westfall Township Comprehensive Plan is in the process of being updated.
5. Page 4-3 – The last paragraph should include the Katz reserve sewage flow in GPD (340 EDU's @ 200 GPD = 68,000 GPD).
6. 4.1.3 - The Plan should reference the updated Final Draft of the Imagine Pike 2035 Comprehensive Plan dated May 21, 2024.
7. 4.5 - What mechanism will require existing OLDS properties listed in Appendix E to connect to the proposed sewer expansion.
8. 4.5 & Table 4.11 – Wastewater Flows should include the Katz reserve sewage flows.

Chapter 5:

9. Table 5-1 - The sewage reserve for the Katz development should be included in this table.

Regional Act 537 Plan – Eastern Pike County
October 17, 2024
Page 2

Appendix N:

10. Remove the reference to Milford Township throughout the agreement.

11. The October 23, 2023, Denial Letter specifically states that *"an implementable plan cannot be contingent on funding sources or an executed inter-municipal agreement"*. The inter-municipal agreement shall be executed prior to the plan being submitted to PaDEP.

If you have questions or require further information, feel free to contact me.

Best regards,



Louis J. Cozza, Project Manager for
Kiley Associates, LLC
Township Engineer

Westfall Township, Milford Borough, and Matamoras Borough

Response to Westfall Township Planning Commission Comments

December 12, 2024

We have reviewed the letter from Louis J. Cozza on Behalf of Westfall Township Planning Commission from October 17, 2024, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. The Plan has been updated to reference the Pike 2035 Comprehensive Plan.
2. The Plan has been updated to mention that the Matamoras Borough- Westfall Township Comprehensive Plan is in the process of being updated.
3. Table 1-1 has been updated to include municipality.
4. The Plan has been updated to note that the Matamoras Borough Westfall Township Comprehensive Plan is in the process of being updated.
5. Acknowledged. The Katz reserve sewage flow is now included in GPD on Page 4-3.
6. The Plan has been updated to mention the Imagine Pike 2035 Comprehensive Plan.
7. Milford Borough and Matamoras shall pass mandatory connection ordinances as indicated in Chapter 5. Westfall Township already has a mandatory connection ordinance as discussed in Chapter 5 Section 5.9 Non-Structural/ Planning Activities.
8. Table 4.11 refers to the Wastewater Flows from the Proposed Alternatives in the Study Area. The Katz Development is outside of the Study Area and not in a proposed alternative, so it is not shown on Table 4.11. It is instead included on Table 5-1.
9. Sewage reserve for Katz development has been included in the updated table (5-1).
10. Milford Township references have been removed from Draft Intermunicipal Agreement (IMA).
11. DEP has indicated in subsequent meetings and correspondence that language in the Plan stating that it is contingent on an executed IMA should be removed, which it has been. However, they have indicated that a draft IMA is acceptable at the Planning Level and can be finalized after the Plan is approved in accordance with the implementation schedule.