

#1

Secretary
Board of Supervisors
Upper Milford Township
P.O. Box 210
Old Zionsville, PA 18068

Ref: Act 537 Sewerage Plan

Dear Supervisors,

I returned home from vacation and found the Sewer Project Information fact sheet among my mail. I have concerns about this since it is the first time that I have been informed that my property is within the area being considered. I live at 2702 Sickie Circle.

We bought that property in May 2002, we were the second owners; the original owners, Robert & Sandra Boty, had the home build in 1997. Prior to committing to the purchase of the property I call the Upper Milford Township to ask if there were any projects or developments in this area that I should be made aware of. I spoke with someone who told me of this sewerage plan but that this property would not be affected by it. I had a second opportunity to talk with someone about this again the next year. In 2003, I had some questions about the septic system that was on the property, which I now owned. Mr. Brian Miller not only provided me with a copy of the permits and plans but he also responded to my home to talk with me directly. He also told me that the Act 537 Sewerage Plan was stopping at the three-way intersection of Main/Brunner/Limeport Roads and that any property within 150 yards of that intersection would have the option to be included. Since I was in excess of the 150 yards, I was told that I would not even have the option and that I would not be included.

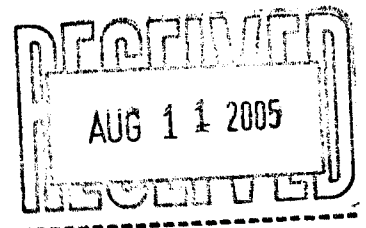
Since that time I have followed the developments of the project, as reported in the Morning Call. I have read several times that the project would be stopping at the intersection told to me by Mr. Miller. Never did I have any inclination that my property was included in this project. When and why did this happen?

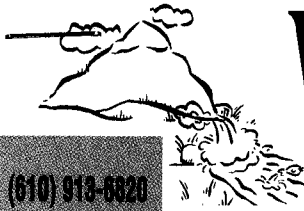
My septic system, the type required by the Township when the house was built, is only eight years old. It has only been cleaned out twice; once as a condition of sale in 2002 and again this year (Mr. Miller told me that it should be cleaned and inspected ever three years). My system is still "new" and has no problems, why should I be required to be included in this project? Wouldn't it be more sensible to give me the option and make it mandatory only after my system starts to fail?

I would appreciate any considerations that the Township or the DEP can show me on becoming optional instead of mandatory to this project. As stated at the beginning of this letter, I would had said something sooner but I only just found out that my property was included within the area of this project. Thanks in advance.

Sincerely,
Mark A. Derry

Mark A. Derry





**WHITTEMORE AND
WHIGH ENGINEERING, INC.**
200 BETHLEHEM DRIVE, SUITE 201
MORGANTOWN, PA 19543

cc: BOS
D. DeLong
B. Miller

(810) 913-6820

Fax
(810) 286-1679

Cell
(810) 698-7697

August 16, 2005

#2

Secretary
Board of Supervisors of Upper Milford Township
Box 210
Old Zionsville, PA 18068

RE: Act 537 Plan Update
Upper Milford Township
Request for Information

Dear Township Secretary:

Whittemore and Haigh Engineering Inc. (WHEI) represents Mr. and Mrs. George DeVault, 3502 Main Road East, Upper Milford Township regarding engineering matters concerning the adoption of the Act 537 Plan Update.

Under the Freedom of Information Act and appropriate Commonwealth of Pennsylvania laws and regulations request Upper Milford Township provide copies of the following documents to facilitate my review of the Act 537 Plan Update. I need the information **immediately** so that WHEI can respond within the 30-day comment period ending August 28, 2005

1. Electronic copy of the Excel spreadsheet, Vera Cruz Needs Analysis Survey Data, utilized by Mr. Brian Miller, Upper Milford Township SEO (Appendix M). The columns on the Excel spreadsheet have been squeezed to fit the page and some of the text can not be read.
2. Copies of all on-lot survey forms for all lots classified as "confirmed malfunction" in the Vera Cruz Needs Analysis Area.
3. Copies of all "repair permits" for confirmed malfunctioning on-lot systems in the Vera Cruz Needs Analysis Area.
4. Copies of a "new replacement installation permits" for new on-lot systems to replace failed on-lot systems in the Vera Cruz Needs Analysis Area.
5. Documentation by year starting in 1996 of all "existing occupancy permits revoked and/or new occupancy permits which could not be issued" due to inadequate on-lot septic systems"
6. Documentation by year starting in 1996 of all Upper Milford Township, Lehigh County or other regulatory agency notices of "public health" violations due to failed on-lot septic systems.
7. Copies all laboratory analytical test reports on private on-lot water individual water supplies, used in the 1996, 2002 and 2004-2005 Vera Cruz Needs Analysis Area analysis by your consulting engineer, Schreier

APPROVED
AUG 18 2005

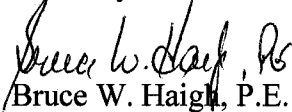
CIVIL
ENVIRONMENTAL
GEOTECHNICAL
HYDROGEOLOGICAL
STRUCTURAL
WATER RESOURCE MANAGEMENT
CONSULTING & ENGINEERING

Engineering Associates, Inc. Analysis should include total coliform, fecal coliform, nitrates and MBAS.

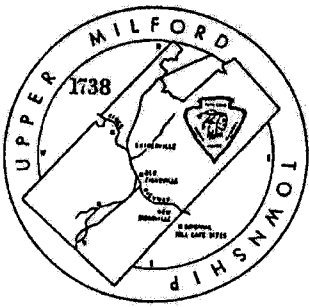
8. Copies of all reports of "degradation of surface water standards" for Liebert Creek used in preparing the Act 537 Plan Update report
9. Copies of all correspondence from/to public water supplies or commercial/industrial users downstream of Vera Cruz on Liebert Creek or the Little Lehigh River documenting degradation of surface water standards caused by human waste originating from Upper Milford Township.
10. Copies off all "site inspections and testing" performed by your consultant's "Soil Scientist" to lots within the Vera Cruz Needs Analysis Area with documented "confirmed malfunctions" to determine the appropriateness of Alternative systems as defined by PA Code Title 25, Chapter 73.

WHEI thanks you in advance for your cooperation in this manner. WHEI is willing to pay all reasonable costs associated with gathering this information. I am willing to come to the Township building to review the information. I can be reached at my office at (610) 913-6820.

Sincerely


Bruce W. Haight, P.E.
President

Cc: Enviro/DeVault537Inforequest.doc
G. DeVault



UPPER MILFORD TOWNSHIP BOARD OF SUPERVISORS

PO Box 210 ~ 5831 King's Highway South
Old Zionsville, PA 18068
Phone: (610) 966 - 3223 ~ Fax: (610) 966 - 5184
E-mail: info@uppermilford.net
Web: <http://www.uppermilford.net>

Chairman
Susan J. Smith

Vice-Chairman
Daniel J. Mohr

Supervisor
Henry H. Kradjel

August 19, 2005

Whittemore and Haigh Engineering, Inc.
Mr. Bruce W. Haigh, P.E.
President
200 Bethlehem Drive, Suite # 201
Morgantown, PA 19543

**Re: Act 537 Plan Update
Upper Milford Township
Request for Information**

Dear Mr. Haigh;

Your letter dated August 16th, 2005, which was submitted to the Township at the August 17th, 2005, Act 537 Plan Public Meeting. The request is for the inspection and duplication of records. The medium requested for release is, in part, electronic, and, in part, paper. The requestor has offered to pay all reasonable costs incurred in gathering the records. The request is substantially compliant with the Township's Open Records Policy and Record Request Form to fulfill this request. Enclosed please find a copy of the Township's Open Record Policy, Resolution and Record Request Form. Upper Milford Township responds as follows:

Item No. 1

The request for electronic access of the spreadsheet requires redaction of a public record and, therefore, will require three business days advance notice of the date and time when you will be coming to the Township Building to view the same. A hard copy can also be made available to you at that time.

Item No. 2 - 4

No separate files for these items currently exist, and therefore a timely response for access cannot be accompanied due to bona fide and specified staffing limitations. In addition, these files also require that redaction of public records. These records can be compiled in approximately two weeks.

Act 537 Plan

Response – Haigh letter dated 08/16/05.

Page 2 of 2

Item No. 5

No such documents exist.

Item No. 6

No separate files for these items currently exist, and therefore a timely response for access cannot be accompanied due to bona fide and specified staffing limitations. In addition, these files also require the redaction of public records. These records can be compiled in approximately two weeks.

Item No. 7

With respect to the year 1996, to the extent such documents exist, the request for access requires the retrieval of records stored in a remote location and / or the redaction of public record and, therefore, a timely response cannot be given. It will take approximately two weeks to respond. As for the years 2002 and 2004 – 2005, it is unknown if such documents exist.

Item No. 8 – 9

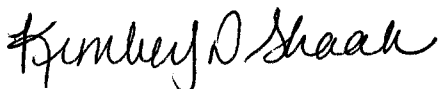
No such documents exist.

Item No. 10

No separate files for these items currently exist, and therefore a timely response for access cannot be accompanied due to bona fide and specified staffing limitations. In addition, these files also require the redaction of public records. These records can be compiled in approximately two weeks.

Please contact Brian Miller, Upper Milford Township, Sewage Enforcement Officer and custodian of the majority of the requested records. I highly recommend that you have a meeting with Mr. Miller as soon as possible in order to discuss the details of your request and for the purpose of expediting your request.

Sincerely,
Upper Milford Township



Kimberly D. Shaak
Secretary / Treasurer

cc: Brian Miller, SEO
Daniel DeLong, Township Manager
Board of Supervisors
Marc Fisher, Worth, Magee & Fisher, P.C.

BOARD OF SUPERVISORS
UPPER MILFORD TOWNSHIP
LEHIGH COUNTY

5831 Kings Highway South
PO Box 210, Old Zionsville, PA 18068-0210
Phone: (610) 966-3223 Fax: (610) 966-5184

OPEN RECORDS POLICY

REQUESTS:

Public records will be available for inspection and copying at the Township Municipal Building during normal business hours; Monday – Friday, from 8:00 am until 4:00 pm, with the exception of holidays.

While the Township may fulfill an oral or anonymous request for public documents, they may require that all requests be in writing. Requests shall be in writing and directed to the Township Secretary at the Township Municipal Building, PO Box 210, Old Zionsville, PA 18068. Written requests shall be on a form provided by the township and shall include the date of the request, the name and address of the requester, and a clear description of the records sought.

FEES:

Paper copies will be assessed \$.25 per page per side. If mailing is requested, the cost of postage will be charged. If a disk is requested, it will be provided by the Township at a cost of preparation time at a rate of \$35 per hour. A new disk will be necessary each time records are requested or provided. The disk is to be supplied by the requester. Fax copies will be available at the cost of \$.50 per page. If "True and Correct Certification" is requested, an additional charge of \$2.00 will be added. If e-mail is available, the cost for files sent via e-mail will be \$2.00 per MB or fraction thereof. The Township will require prepayment if the total fees are estimated to exceed \$100.

RESPONSE:

The Township will make a good faith effort to provide the requested public records as promptly as feasible. Township employees shall cooperate with those requesting to review and / or duplicate original Township documents while taking reasonable measures to protect the Township documents from the possibility of theft and / or modification.

The Township Secretary shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request to access public records, the Township Secretary shall respond to all such requests in a manner consistent with Act 100 of 2002, the Open Records Law.

APPEALS:

If a written request is denied or deemed denied, the requester may file exceptions with the Board of Supervisors within 15 business days of the mailing date of Township's denial. The exceptions shall state grounds on which the requester asserts that the record is a public record and shall address any grounds stated by the Township for denying the request.

The Board of Supervisors shall make a "final determination" on the exceptions within 30 days of the mailing date of the exceptions. The Board of Supervisors may hold a hearing on the issue during the 30 days. If the Board of Supervisors determines that the denial was correct, it must provide a written explanation to the requester.

The requester may appeal a final determination to the Court of Pleas Court or District Justice within 30 days of denial or final determination.

FEES:

Copy Fee (per page / per side)	\$.25
Disk (supplied by requester) hourly rate or fraction thereof	\$35.00
"True and Correct Certification"	\$ 2.00
Hourly Charge – person making the copies	\$30.00
Postage (cost used in mailing copies)	Actual Cost
Faxing Cost (per page)	\$.50
E-mail if available (per MB or fraction thereof)	\$ 2.00

RESOLUTION
OF THE BOARD OF SUPERVISORS OF
UPPER MILFORD TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA

WHEREAS, the Board of Supervisors of Upper Milford Township at a meeting held on November 21, 2002, voted to adopt an Open Records Policy.

WHEREAS, Act 100 of 2002 relates to the Open Records Law. The act requires townships to establish written open record policies that include a municipal contact, a list of applicable fees, and regular business hours. The municipal contact is the person to whom all record requests should be addressed. The policy should also list the individual who will receive and respond to exceptions filed when a record is denied and the requester disagrees with the denial. This policy and fee schedule hereafter, will be posted in the Township Office.

WHEREAS, if the Township denies a request, the requester may file an exception or appeal with the municipality within fifteen days of the written denial. This exception must list the specific reasons why the requestor believes the record should be considered public. The township then has thirty days to make a final determination on the exception and may hold a public hearing within this time period.

ADOPTED, this 21st day of November 2002.


ATTEST:

**BOARD OF SUPERVISORS
UPPER MILFORD TOWNSHIP**


Kimberly D. Shaak, Secretary-Treasurer


Susan J. Smith, Chairman


Daniel J. Mohr, Vice-Chairman


Keith A. Huyett, Supervisor

BOARD OF SUPERVISORS
UPPER MILFORD TOWNSHIP

LEHIGH COUNTY

5831 Kings Highway South
PO Box 210, Old Zionsville, PA 18068-0210
Phone: (610) 966-3223 Fax: (610) 966-5184

RECORD REQUEST FORM

DATE _____

NAME _____

ADDRESS _____

PHONE AND FAX NUMBER _____

DESCRIPTION OF RECORDS (Continue on back for additional space)

INSTRUCTIONS:

PICK-UP	FAX	MAIL	DISK
CERTIFICATION "True and Correct"			E-MAIL

SIGNATURE (PERSON REQUESTING)

Office Use Only:

COPIES	\$.25 PER PAGE / PER SIDE	\$ _____
POSTAGE	ACTUAL COST	\$ _____
DISK	\$35.00/HOUR OR FRACTION THEREOF	\$ _____
FAX	\$.50 PER PAGE	\$ _____
COPYING	\$30.00 / HOUR OR FRACTION THEREOF	\$ _____
CERTIFICATION "TRUE AND CORRECT"	\$2.00	\$ _____
E-MAIL	\$2.00 (PER MB OR FRACTION THEREOF)	\$ _____
TOTAL COST		\$ _____

SIGNATURE (STAFF MEMBER)

DATE INFORMATION: PICKED UP; FAXED; MAILED _____

CC: BOS
D. DeLong
B. Miller

#3

Sewer Plan Is "Kiss Of Death" For Rural Township

Statement to Upper Milford Township Supervisors, Aug. 17, 2005

My name is George DeVault. My wife, Melanie, and I own and operate Pheasant Hill Farm at 3502 Main Road East. Our farm is small, only 19.2 acres. Our farm is preserved. Yet every few weeks we get a letter from a corporation from outside the valley that wants to buy -- and develop -- our farm. Here is what a firm in Skippack sent us in March:

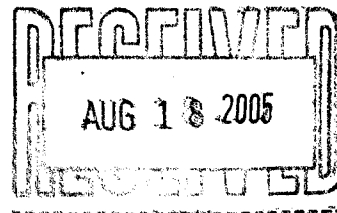
"Your property has been identified as land that may be of interest to Kane Core, Inc. We are a local property development company that is currently working with families in your township, investigating their property's potential for development. Kane Core, Inc. would like the opportunity to purchase your land. Kane Core, Inc. can facilitate simple one-lot parcel acquisitions as well as elaborate subdivision and land development approvals in both commercial and residential markets. Our goal is to navigate properties through the process quickly, and generously compensate you for your land."

This new Act 537 Plan Revision says, "Secondary impacts such as controlling growth in this area should not be a significant problem. Current Township Ordinances will control growth based on the physical topography of the area and the inability to construct new houses."

What the plan neglects to say is that current ordinances may change. We now have a 50-foot wetland buffer in the township. The township wants to cut that buffer in half. Why? It is the kiss of death for agriculture and the rural character of the township. Where sewer pipes lead, house farms inevitably follow.

Your consultants have taken a simplistic approach to a complex problem. They propose 11 so-called alternatives that are just variations on the same theme -- sewer, sewer, sewer.

Before we follow their advice and turn Upper Milford into a Lower Macungie, let's look at some real alternatives. Let's enforce the sewage laws we have now. If the situation in Vera Cruz is as bad as the consultants say, tell me this, please:



1. How many times has the township refused to issue -- or revoked -- an Occupancy Permit due to lack of an acceptable on-lot septic system?
2. How many homes have been abandoned due to lack of an adequate on-lot septic system?
3. How many times has a mortgage company refused to issue a mortgage due to an inadequate on-lot septic system?

Let's fix what can be fixed. Let's strengthen -- not weaken -- our ordinances, starting with implementing the recommended Septic Management District. Let's explore "practical, affordable solutions," as the Dept. of Environmental Protection urges in its Act 537 policy. "Resolving the sewage needs of rural Pennsylvania municipalities may not be practical using conventional methods, due to low development density and lack of available funding," DEP warns.

Let's not rush to build sewers and throw the gates of the township wide open to developers, unless and until we are all absolutely certain there is no other viable alternative. You, our elected officials, and "We, the people," run the township, not consultants.

Emmaus Borough Council President Craig Neely may have said it best earlier this month at a meeting on the question of privatizing the Emmaus water system: "We'll hold as many public hearings as it takes until the public decides what it wants to do."

That is democracy in action. So, let's also be talking with the folks in Zionsville, Old Zionsville, Powder Valley and the rest of the township. Let's ask what kind of future they really want and are willing to pay for, because this plan is not just about about Vera Cruz. It is a township plan that touches each and every one of the 7,000 people living in Upper Milford. We seem to have lost sight of that small, but important fact. Thank you.

Kane Core, Inc.

Property Development Services

March 18, 2005

George Devault
3502 Main Rd E
Emmaus PA 18049

Dear George,

Your property has been identified as land that may be of interest to Kane Core, Inc. We are a local property development company that is currently working with families in your township, investigating their property's potential for development. We would like to discuss some options for your property; however, we could not identify a correct phone number for your address. If you have any interest, please call us to discuss some of the following topics:

- Maximum development potential
- Your municipality's current ordinance
- Quick settlement options
- Retaining home on property
- Land value
- Approval process
- Life Rights
- Act 319 options

Kane Core, Inc. would like the opportunity to purchase your land, based upon a yield compiled by our planning and land-use consultants. We pride ourselves on being open and honest with our clients, by sharing the information we gather and the methods that we use to obtain the yield. Whether or not you do business with Kane Core, Inc., you will be better informed about the sub-division process so that you can make an educated decision about selling your land for profit.

Kane Core, Inc. can facilitate simple one-lot parcel acquisitions as well as elaborate subdivision and land development approvals in both the commercial and residential markets. Our goal is to navigate properties through the process quickly, and generously compensate you for your land.

Enclosed is our mission statement and a brief description about the team at Kane Core, Inc. If you would like to discuss the opportunities for your property now, or have any questions, call us at 610-222-4600.

Sincerely,


Joe Holland
Kane Core, Inc

** Family Owned & * Operated * Amicable Municipality Relationships * Professional Staff
* Quick Settlement Options * No Development Contingency Offers **

4365 Skippack Pike • P.O. Box 1301 • Skippack, PA 19474-1301

Phone: 610-222-4600 • Fax: 610-222-4448

www.kanecore.com

#4

Questions about Upper Milford Sewer Project

What is the breakdown of the total project cost \$7,245,000

Administrative	_____
Legal	_____
Financial	_____
Interest	_____
Engineering	_____
Permits	_____
Land/Easements	_____
Construction	_____
Contingency	_____
Capacity Purchase	_____

cc: J. DeLong
BOS
B. Miller

What type of system? Gravity or Low Pressure

How many EDU's are in the project?

Is the Plan for laterals to be run to the house or to the property line?

How much capacity is being purchased from LCA?

How much has the Township paid for the 537 Plan?

Has DEP approved this amount?

Does the Township intend to solicit proposals for the design and construction of the project?

What other communities use this assessment process?

CATHERINE RAPOSE
5202 JAVIS DR
EMMAUS PA 18049
610-965-6912

APPROVED
AUG 18 2005
SUBMITTED

#5

8-19-05
CC: BOS
B. Miller
D. DeLong

Dear Sirs,

From the meeting on Wednesday, and previous meetings, the same questions are still there. Different answers from different members of the panel or the board, and clarification is necessary.

I believe it would be best to put it down in writing so as one has time to reflect on the words before they are thrown out to the general public. But then definitely, throw those words out to us.

Question 1. What is our total cost

I believe that question was answered on Wednesday, and most took it to mean that the total individual homeowner (single family residence) is approximately \$20,000. This includes the tapping fee, assessment fee, and private plumbing hook up (total appx \$8,000.00) --- as well as monies borrowed by the township for each home in the amount of appx. \$11,500.00 . The township honestly and wisely told us that extra money was needed and indeed borrowed, and they told us up front that those figures were directly related to what the township refers to as the Surcharge.

They told us, at that meeting, that the surcharge can be eliminated by paying all the monies up front. If someone pays the initial out of pocket expenses, and pays to the appropriate parties (either the lender or the township) the additional \$11,500.00, then they will not have to pay the surcharge, and will be only responsible for the maintenance and fees associated with the handling of the waste waters.

This leads to other questions that we should have answers to.

1. Is there a lien placed on my property for the \$11,500.00 ?
2. Who would I pay the money to if I want to pay it off ? The township or a bank, or is that not known yet.
3. Is there an early pay off penalty ?
4. If I sell my house, does a lien need to be satisfied? I would assume that if the lien is satisfied at settlement, the new owners would have no surcharge to pay.

Question 2. What about new people moving in ? Or developments ? What will the contractors pay to hook up to the system? And will the township change zoning requirements to allow buildings on smaller lots to reap in a larger tax revenue ?

This is a question I think we all have. Most of us know that there usually is 2 or 3 scum bag building contractors who do their best to hide and plan, usually with the full knowledge of at least a few of the controlling members of most boards of supervisors. I am not saying there is in this case. . I am just saying with what I have seen, I would not find it shocking. All of us have seen it before and the signs are there. In order for the township to dictate things without the slightest hint of impropriety I would suggest.

1. Limit the township building lots to $\frac{3}{4}$ of an acre for new developments, and take variances on a case by case basis. Someone who has owned a $\frac{1}{2}$ Acre lot for years

RECEIVED
AUG 19 2005

and wants to sell or build on it, should go through the normal variance procedure. And NO CONDOS.

2. Any builder that builds and hooks up to the system must pay the full tapping fees and assessment fees for each home, PLUS \$11,500.00 to the township to go to paying off the sewer fund. They would have to pay this for any home built within the sewer area for at least period of 5 years. We have to pay it and THEY WILL PAY IT ALSO--- ON THIS THERE IS NO ROOM FOR NEGOTIATION. After that, it can be reduced by a percentage each year, say 10% per year This would ensure that no hanky panky has gone on by anyone or any contractor, and it would give the initial people and citizens of our community a good feeling about growth in their neighborhood.

In other words, if a builder builds 40 homes, they would

1. Have to build on at least $\frac{3}{4}$ of an acre per home, AND THAT BUILDER WILL PAY

- a. appx \$1100 per home for an assessment fee (like us)
- b. \$3200.00 tapping fee--- per home (like us)
- c. \$11,500.00 ----PER HOME (like us)
- d. He can pay, and usually save money, on his own plumber.

The contractors will save on not having to install expensive sand mound systems, and will have the benefit of having a home build with city sewer--- increasing the home value. They would have nothing to complain about.

And all monies going into paying off the sewage fund by new home construction will decrease our debt (for the original main lines) by x amount of dollars. To make it simple, an example.

a. 200 people borrow \$2,000,000.00 – they each owe \$10,000 TOTAL to the kitty. Their payment is \$200.00

b. 100 new homes are built. Each of those new homes pays \$10,000 into the kitty. That amounts to 10,000 X 100 which equals \$1,000,000.00.

c. The new balance on the sewer construction loan is \$1,000,000.00 (the original 2 million, minus the input of 1 million by the new homes) This should in effect lower the affected residents payment to \$100.00. Each of those residents would now only owe \$5,000.00 into the kitty. Naturally the new homes would still have to pay their fair share of the sewer maintainance, but being they paid the up front monies, they would not have to pay the surcharge.

b. There is a rub---kinda sorta --- in that any existing home that is sold--- and the surcharge share is paid off in the sale of that home ---- that would not affect the numbers at all for those left behind. They people left behind would still owe their part of the existing figures. Lowering of the original sewer fund borrowed would

only happen with new home construction as an additional source of revenue. It would be best to make it clear, that there may be a line drawn by the township to simplify things. For instance, once a home is sold, the seller (or existing resident) would be out of the loop and could not expect any rebates. It would just be too hard to track it. And with sewer, that seller probably got some extra money for compensation. Once a house is sold, and the surcharge money is paid off---that's it. End of story. Except naturally, for the new owners, who would still have to pay the normal sewer maintainance fees

Any attempt by township officials to sidestep a fair share payment into the sewer fund, by new builders or contractors, would be taken by most of us to be some sort of collusion, and that a little hanky panky would be going on. . One hand wiping the other, with payoffs and all that. And it probably would be. We expect our township officials to make everyone to pay a fair share into the kitty. And by fair share payment, I mean the ENTIRE payment--- \$20,000.00 ----not just the tapping fees. So you should use your heads and use a little common sense. Where is a Democrat when you need one???

Some kind of simple formula should be presented. All of us know something has to be done. But we want to be treated fairly. And--- is there another way perhaps to get a lower interest rate? Would any bank or lending institution be interested in financing 280 HOMES as well as the new loan for the sewer? Most of us have rates hovering between 6 and 7 percent. If we got it reduced by 1.5 % ---hell that would save \$1,500.00 per year on a hundred grand mortgage. And help pay for the sewer without putting out any more capital.

There are those would ask about rebates if they pay off their share of the fund, and then monies came into the coffers that lowers payments . There, it is hard to draw a line. Does the costs of processing that data exceed what the payout would be. It would be like hiring a lawyer to handle a \$100 collection. It would cost you more than it was worth. I am sure that some kind of easy mathematical formula could be devised. Those people who have the resources to pay up front--- do not have to pay any interest. Considering, with interest, costs will be closer to \$18,000 for that original \$11,000.00--- for those who cannot afford to pay. Again, maybe a 5 year formula would work. 80% back of any money saved by new home development. Keep some for processing and tracking. And once the house is sold----that's it. And after 5 years ---- that's it. If they sell it two months after they pay ---that's it. Once it is done, it is done. Again, the seller will get more money for the property anyway. If there is any complaint, ask them if they get \$40,000 extra for their home because of the sewer, will they give any of that extra \$20,000.00 back???

It may not be completely down to the nickle, but it would just get too complicated otherwise.

You do have to come up with something. People need answers. And they do have good and relevant questions. Forget about the bog turtle thing. Forget about Jasper park. Its about the money. And about what's right. People mentioned Danny, who lives up a long dirt lane, which is connected to main road East. The sewer road. The way it stands, he doesn't have to hook up, because his house is about 1/8 mile back in the woods. Yet the creek in question runs right through his property, and the cows in his field do their thing in the stream---and yet it seems that fingers are being pointed at the rest of us as polluters. There are also rumors going around of plans to build homes on some of his property. We have no problem with expansion. BUT.. On this point I am sure all of us are together--- NO HOME WILL GO IN WITHOUT CONTRIBUTING TO THE ENTIRE COST OF THE SEWER PROJECT. Again , that means the tapping and assessment fees, AND the fair share portion of the surcharge. That means the FULL \$\$19,500.00 per home.

I would suggest putting those things into writing. Some simple straight forward answers to some simple questions. We are not the problem here. You are. Answer our questions and come up with solutions. And then maybe you can move forward with people actually standing behind you, and not questioning your every move.

John E. Godiska

#6

Rec'd
8-19-05
so

Regarding the current ACT 537 plan for Upper Milford Township,
After receiving an estimate for private plumbing costs, and I stress that the estimate does
not include any studies or permits from DEP to allow us to bore under the creek in our
front yard, The cost breakdown goes something like this:

Property Assessment 27,000.00
Tapping fees 3,250.00
Private Plumbing cost 58,940.00 without pump, add 10,000.00 for pump.
Monthly fee 27,560.00 over 20 years

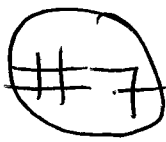
cc: BOS
D. DeLong
B. Miller

Total cost to our family for the privilege of flushing our toilet
116,750.00 without pump
126,750.00 with pump

We spend our tax dollars to rebuild infrastructure in countries we bomb.
I just love the way we take care of the needs of our people at home.

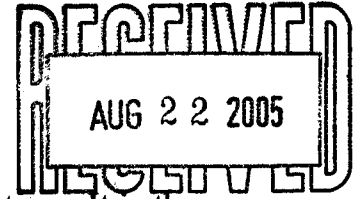
James J Kellar
5401 Acorn Drive
2946 Main Rd. East
3110 Main Rd. East
Upper Milford Township
484 239-4950

RECEIVED
AUG 19 2005
RECEIVED



CC: BUS
D. DeLong
B. Miller

8/19/05



To the Upper Milford Township Supervisors and manager,

This proposed sewer system is a public utility, not a private system. It is the Upper Milford Township's responsibility to provide and pay for public sewer. It is your responsibility to the community to get the grants and bonds to pay for this whole project and raise taxes if need be .

Our responsibility to the community is to hook up and only pay the hook up fee. I hope the DEP has the good sense again to turn down this proposal because of high costs and not making this more affordable to the public. Since this project will get the whole community of Upper Milford out of a state violation., it is the whole township's responsibility to pay for this public utility. Since you knew of this problem of more than 30 years, and did not start a sewer fund within these years, it is not our responsibility alone to pay for this project. Remember, we are helping you out of a violation. It will be for the good of the whole township not to be sued.

We cannot be segregated from the rest of the community, this is a township problem, not just some properties of Vera Cruz. We will not be the only ones in violation of the state. It is the whole township that is in violation with the State Department of Environmental Protection.

Our rights as taxpayers will be violated if you single out properties to be assessed and charge varying fees to be placed on them for tax purposes. That would be residential segregation . You cannot charge for an assessment for only certain properties. You cannot charge different fees for different properties, that will be residential segregation. Unless everyone in Upper Milford Township community has to comply with a new property assessment, our rights will be violated. You cannot single out only certain people from the rest of the community, that is segregation. Segregation means to separate or set apart from others or from the general mass. To extort money from these segregated individuals to pay for a public project and then charge them for a property assessment is excessive abuse of power.

You are in office and position to represent all of Upper Milford Township in an equal and just manner. There is no room for personal agenda's, pettiness, jealous behavior or vengeance toward certain people or groups of people if you are in office to represent them. This isn't a self-serving job. If you cannot up hold you're oath, you should resign, and let someone else take

over.

We are telling you we cannot afford this project of a proposed 7.25 million dollars, estimated 35,700 per property, and a much higher rate for small businesses (plus usage).

We are telling you we alone are not responsible to set up and pay for a public sewer system. The whole township is.

We are telling you that charging us for a property assessment of varying rates \$40 to \$18,000 is segregation. No one is billed for property assessments. Private contractors will assess a property for \$200 or less. Our property values will go down, especially when you could live outside this segregated area for less and not have the high price tag over your head. Our property values will not recover the price paid out within the next 20 years if we have to pay this public utility.

After people hear of the shameful way you are dealing with this, Upper Milford will not be a desirable place to live. It's an embarrassment to the community. You are getting a bad reputation and people are already saying , "I'm so glad I don't live in Upper Milford, who are the supervisors and manager?". Is this how you really want to be known? Is this how you want to be remembered?

You are creating a hardship for the people of these 300 properties. It would not be a hardship if you spread this cost over the whole township. Raise the taxes to pay for bonds, apply for grants and pay for this project like you're supposed to, then start a sewer fund for the next project. This will be doing your job in a fair and just way. People will respect you for doing so.

If you are not listening to the public, of what they want and need, you should resign. We are on earth only a short time, are you helping to make peoples lives better or causing hardships for them? Only you can answer this. There is a greater power in the end of life to which you will be facing. What will you say?

There is an old saying:
Don't bite the hand that feeds you.
We, the taxpayers, are the hands that are feeding you.

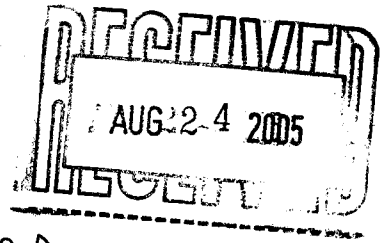
Melody Casey

#8

August 23, 2005

Upper Milford Township
Board of Supervisors
5831 Kings Highway South
Old Zionsville, PA 18068

CC: BOS
D. DeLong
B. Miller



Re: Act 537 Sewerage Plan

This letter is to inform you that I support the Act 537 sewerage plan. It is time to put an end to the septic problems that have plagued the Vera Cruz area for years.

In 1995, my husband and I, entered into an agreement of sale to buy a home in Vera Cruz. When we went to get a septic certification to satisfy the mortgage company, we were told by Christmans Septic that the property did not perk for any system.

What a shame it was that we could not get a mortgage for this home. We decided it would be hard to get a mortgage for any home in the Vera Cruz area, and decided to look elsewhere.

It is very unfortunate that such a lovely town is being destroyed by failing septic systems, unsafe drinking water, and un-sellable properties. I feel that the act 537 plan will save Vera Cruz, and benefit the whole township.

As always, thank you for taking the time to read my letter.

Sincerely,

Christine M. Bartholomew

Christine M. Bartholomew
6120 Kings Highway South
Zionsville, PA 18092

#9

Secretary
Board of Supervisors
Upper Milford Township
P.O Box 210
Old Zionsville, PA 18068

CC: BOS
D. DeLong
B. Miller

3501 Main Rd East
Emmaus
PA 18049
August 23 2005

Dear Sir,

We are writing to register our concerns with the proposed Act 537 Sewerage plan for the village of Vera Cruz. We are particularly concerned about the massive costs that will be incurred by the residents. During public meetings, the officials involved continue to state "don't believe the costs that have been provided in the Morning Call" this is good advice, since actual costs are going to be much higher. We find it particularly bizarre and clearly unfair, that people who happen to own the larger properties are going to be stuck paying the largest amounts – particularly since the recognized septic problems are, of course, not associated with these properties, but rather with the less than one acre properties located in the center of the village. We can assure you that our septic tank works fine (the township confirmed this two years ago when we purchased the property), as do the tanks of our neighbors. We realize that we are only being forced to participate in this scheme to make up the numbers, but it surely cannot be right that people like us are required to pay the largest amounts. The argument that says that we should pay more because of the increase in property value after we sub divide our land for development (thanks to the new sewer) is bogus. Why have these properties not already been developed? In our case, the land is a recognized high value wetland, under act 515, playing a vital role in maintaining the local watershed. We can only assume that Upper Milford Township recognizes the value of this wetland, otherwise why grant the act 515? This is a case of muddled and inconsistent thinking. We would have expected better.

If this scheme proceeds as proposed, it would appear that we are going to be forced to pay the following:

- Property assessment fee: \$13,000 - \$14,000
- Other upfront costs (that you are graciously going to allow us to pay over 20 years) \$15,000 - \$16,000
- Hook up from the house to the sewer (including solids handling pump) \$20,000 est.
- Overall: \$48,000 - \$50,000.

A massive cost, with absolutely no benefit to us. We may be forced to sub divide our land in order to raise the capital, We trust that if we were to submit a proposal to do this, that it would be accepted by the same township that has deemed to charge us so much because of the increase in the value of our property (some how we doubt it, due to the wetland, steams, turtles, complete lack of access etc.).

Incidentally, we object to the claim that we can appeal the assessment fee since we have been told that if, following the assessment, the property is actually assessed to have a

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greater benefit than estimated, the property owner would have to pay even more – quite a threat! Who would take the risk?

We cannot speak for others (although we have heard that others will be stuck with costs much greater than ours). We are not currently in a position to comment on whether the proposed project is the most economical one, although your estimates appear not to have properly taking into account total costs to residents. By the quoted numbers, there are 284 residences affected. Apparently, between 35% - 40% of these properties have failed systems – about 100 properties. We would guess that the total cost when all expenditures (including direct costs to the individual) are added up, will be more in the order of \$9 - \$10 million. That works out at \$100,000 per failed system – wow! Can this really be the most sensible approach?

The only reassuring thing about the proposal is that it is so unreasonable that there will probably be delay after delay.

We believe all residents recognize that there is a pollution problem in Vera Cruz. We look forward to a revised proposal being put forward, that residents can live with.

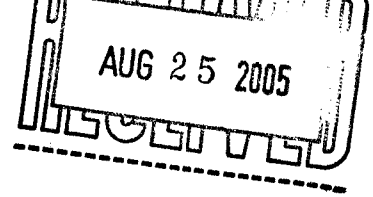
Yours sincerely,

Derek & Kathleen Miller

(610) 966-1001

#11

C. BUS
D. DeLong
B. Miller



To the Upper Milford Township Supervisors and manager,

This proposed sewer system is a public utility, not a private system. It is the Upper Milford Township's responsibility to provide and pay for public sewer. It is your responsibility to the community to get the grants and bonds to pay for this whole project and raise taxes if need be .

Our responsibility to the community is to hook up and only pay the hook up fee. I hope the DEP has the good sense again to turn down this proposal because of high costs and not making this more affordable to the public. Since this project will get the whole community of Upper Milford out of a state violation., it is the whole township's responsibility to pay for this public utility. Since you knew of this problem of more than 30 years, and did not start a sewer fund within these years, it is not our responsibility alone to pay for this project. Remember, we are helping you out of a violation. It will be for the good of the whole township.

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over.

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After people hear of the shameful way you are dealing with this, Upper Milford will not be a desirable place to live. It's an embarrassment to the community. You are getting a bad reputation and people are already saying, "I'm so glad I don't live in Upper Milford, who are the supervisors and manager?". Is this how you really want to be known? Is this how you want to be remembered?

You are creating a hardship for the people of these 300 properties. It would not be a hardship if you spread this cost over the whole township. Raise the taxes to pay for bonds, apply for grants and pay for this project like you're supposed to, then start a sewer fund for the next project. This will be doing your job in a fair and just way. People will respect you for doing so.

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**There is an old saying:
Don't bite the hand that feeds you.
We, the taxpayers, are the hands that are feeding you.**

Melody Casey

Property Assessment: Property values are expected to increase in this area because this project will solve a major environmental problem in the Township and provide a much-needed public service. Therefore, the Property Assessment fee is based on the estimated increase in the assessed value of your property based on the availability of public sewer service. The fee will vary from \$40 to \$18,000. The average fee will be \$1,100. All properties within the project area, except those exempted by law, will pay an assessment fee.

Equivalent Dwelling Unit Charges (Tapping Fees): An Equivalent Dwelling Unit (EDU) is a single residential unit such as a single-family home or one apartment. Businesses will be assigned multiple EDUs based on their usage. The EDU Charges (also called Tapping Fees) are based on the appropriate share per EDU of the cost to treat the wastewater at Allentown's treatment Plant, the facility cost to transmit the wastewater through LCA's regional system, and the cost of the project itself. The total per-EDU Charge will be \$3,250. This means that a single-family home (1 EDU) would pay \$3,250; a single-family home with attached rental unit (2 EDUs) would pay \$6,500; and a three-unit apartment building (3 EDUs) would pay \$9,750. All properties required to connect will pay these fees.

Private Plumbing Connection Costs: Property owners will be responsible for making the physical connection from their property to the public sewer system as well as other required plumbing modifications. These private plumbing costs are estimated between \$3,000 and \$5,000, with the typical property being approximately \$3,500.

In summary, the one-time, upfront costs to individual property owners is calculated to be:

Property Assessment	\$ 1,100 (average)
EDU Charges (Tapping Fees)	3,250 (1 EDU)
Private Plumbing Cost	3,500 (typical)
Total Upfront Cost	\$ 7,850 (average)

Ongoing Sewer Rates

The upfront costs outlined above will significantly offset the project costs. However, remaining project costs must be recovered through the sewer billing rates, which will be calculated on a per-EDU basis.

The sewer rates will be composed of two parts:

- o Upper Milford Twp. sewer rate - currently \$451 per year
- o Vera Cruz Project surcharge - estimated at \$927 per year

This combined rate comes to a total of \$1,378 per EDU per year (or \$115 per month).

These estimated sewer rates will be reduced if additional funding becomes available through grants or other sources that the Township and LCA are currently pursuing.

PRIVATE PLUMBING COST BASED ON ACTUAL ESTIMATE OF \$225.00 PER FOOT

Feet off right of way	Cost
10 ft.	2250.00
20 ft.	4500.00
30 ft.	6750.00
40 ft.	9000.00
50 ft.	11250.00
60 ft.	13500.00
70 ft.	15750.00
80 ft.	18000.00
90 ft.	20250.00
100 ft.	22500.00
125 ft.	28125.00
150 ft.	33750.00
200 ft.	45000.00
250 ft.	56250.00
261 ft. Estimate I Received	58940.00

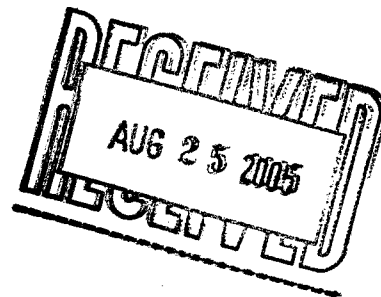
Measure your lot, do the math.
Contact everyone you can and let them know.

Property Assessment	27,600.00	
Tapping Fee	3,250.00	
Private Plumbing Cost	58,940.00	
Monthly fee 115.00/mo. X 20yrs	27,560.00	
My cost to flush my toilet	\$ 116,750.00	
		27,000.00
		3,250.00
		58,940.00
		<u>116,750.00</u>

*What's going on?
Are you selling your
neighbor's out?
Shame on you.*

William Sanderson
5319 Acorn Drive
Emmaus, PA 18049
Aug.23,2005

#11



cc: BOS
D. DeLong
B. Miller

Upper Milford Township
Board of Supervisors
5831 Kings Hwy.. South
Box 210
Old Zionsville, PA

Dear Board of Supervisors:

This is a letter about the Vera Cruz Sewer Plan Act 537.

I am writing in response to the meeting on Aug. 17, 2005. I have spoken to each of the supervisors personally but I felt the need to put my concerns down in this letter for the public record.

The number one concern is the cost of the sewer project. The proposed projected costs are more than my family can afford. I have been told I'll be given a loan. I honestly don't know how I will pay back the loan. The cost of living continues to go up in every area of our family budget: health care, fuel, heating to name a few. My salary as a blue collar worker however does not increase. At this time there are several things we do without to be able to meet our monthly bills. These are sacrifices we have chosen to make to be able to live in this area. This new \$35,000 (plus) expense was something we have not planned for nor have we been saving for since our property is self-sufficient with a working sand mound. We were never a part of the sewer project when it was proposed two years ago. I have lived at Acorn Drive since 1989 and have kept up my property, installed and properly maintained my septic system with regular pumpings of my tank. We only found out this August that we were going to be part of the sewer project.

On August 19,2005, at my request, Brian Miller, Township Sewer Enforcement Officer, came and took notes on my septic system. He took notes on the size and distance from my well to my septic system, and measurements from the road to the house. We are over 200 feet from the street which makes sewer hook up more expensive for me than for people whose septic systems have failed and haven't spent money to fix them because they have been waiting for sewer to come through. I feel there should be some type of credit or rebate for residents that are being forced to abandon functioning nonviolating systems for which they spent a lot of money to install.

My second concern is my well. This is also a concern about cost. I have a good chance of

losing my well and incurring the cost of drilling a new well. I have a shallow artesian well. It is only 5 feet deep and is fed by springs in the area. I fear that digging up the street to lay sewer pipes and digging up my yard to hook up to the sewer will divert the water that flows naturally to my well. I have been told by several water conditioning companies that I have some of the best water in the area. Digging a new well will also force me to put in a new filtration system to make the water useable and drinkable. All these things will be additional costs my family will incur.

Please do all you can to decrease the costs of the sewer project to the residents of Upper Milford Township. The cost no matter how small or how spread out over time they may be will definitely be a hardship for my family. I can only hope these costs will not force me to have to move out of the area.

Sincerely,

A handwritten signature in cursive script, appearing to read "William Sanderson".

William Sanderson

12

August 24, 2005

CC: BOS

D. DeLong

B. Miller

Upper Milford Township Supervisors
P. O. Box 210
Old Zionsville, PA 18068

Dear Upper Milford Township Supervisors:

After attending the August 17, 2005, meeting at the Vera Cruz Firehouse, I am taking this opportunity to express some very grave concerns with regard to the intended sewer project in our township.

It is my opinion that the manner that this project is being conducted is discriminatory and at the very least, unfair. I ask, "Why are only certain households targeted for the sewer project when others in the township are not? Why is not the entire township being supplied with the sewer project when they possess septic tanks and sand mounds for elimination of sewerage? One cannot realistically state that these are in a perfect working condition.

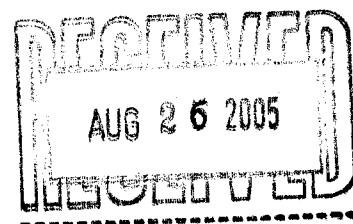
Furthermore, according to your own findings, the major problem exists in the immediate village of Vera Cruz. It is an established fact that no well in the Moyer Subdivision #1 has any sort of well contamination from the septic tanks that exist in that area. Therefore, why am I, a householder in this region, being forced to pay this abhorrent and immoral price tag? Why has no other alternative been seriously considered when it is permitted by governmental agencies?

As supervisors, you have the right to levy a township tax increase that would spread out this grave financial burden to us in a more equitable fashion. Perhaps, you might consider permitting a tax exemption for the impacted households for a twenty year period in order for us to pay this very unrealistic price tag.

I cannot erase from my thoughts the suspicion that the true reason behind this sewer project is to permit extreme development within our township that will affect this pristine environment.

I truly pray that there is no hidden motive that is not being presented to the taxpayers of this township.

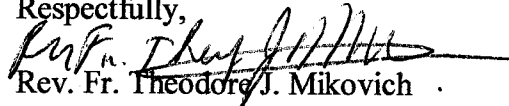
There is an adage that is used many times in our speech, It goes like this, "If it ain't broke, then don't fix it." Why are you trying to fix something that "ain't broke" in the Moyer Subdivision #1?



As I listened to the taxpayers express their extreme dissatisfaction with this surreal sewer project price tag, I ask you, "Will you listen to the taxpayers that elected you and pay the tax burden in this township or will you ignore their desires?"

Therefore, I am voraciously asking that you, as our elected officials, reject this sewer project in its present form.

Respectfully,

A handwritten signature in black ink, appearing to read "Rev. Fr. Theodore J. Mikovich", written over a horizontal line.

Rev. Fr. Theodore J. Mikovich .

5261 Bow Lane

Emmaus, PA 18049

August 26, 2005

cc: BOS
D. DeLong
B. Miller

#13

Upper Milford Township
5831 Kings Highway So.
Old Zionsville, PA 18068

Attention: Board of Supervisors

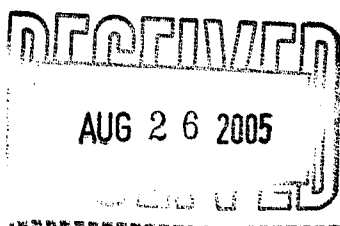
Dear Board of Supervisors,

Over 30 years ago I was looking to purchase a home in this area. I was advised by my Realtor, and others, to stay away from Vera Cruz, due to failing septic systems.

I feel that every community should have safe drinking water, and a reliable septic system. This is why I support act 537. This plan will benefit the entire township.

Sincerely,

Carol Klaus
PO Box 284
Old Zionsville, PA 18068



cc: D. DeLong
BOS
B. Miller

14

Department of Environmental Protection
c/o Mr. Michael J. Brunamonti, P.E.

Referring to our phone conversation on 8/22/05, I as well as many of the other residents of the Vera Cruz area are very concerned about several things regarding the proposed Act 537 plan for Upper Milford Township. The first of course is cost. Enclosed you will find a fact sheet that residents received detailing typical cost projections for individual property owners. A fact sheet I may add that was only sent to property owners in the sewer project area of the Township 537 Plan, not to residents that will be impacted by the Septic System Inspection and Management portion of the plan. Personally I have received two estimates for my private plumbing costs, one a written estimate I paid for and one over the phone based solely on footage. With those numbers in hand along with the township supplied assessment numbers, my costs are these.

Property Assessment-	27,000.00	two adjoining pieces of farmed land with one home.
Tapping Fees	3,250.00	
Private Plumbing Costs	58,940.00	on site written
	30,000.00-37,000.00	phone estimate
Monthly Fee -115.00/mo x 20 years	27,560.00	

My cost to flush my toilet ranges from 87,810.00 to 116,750.00. I would think these numbers would offend someone's sensibilities.

Secondly, on Sunday 8/21/2005 in a public conversation with our township manager I was personally informed that a certified letter of intent to investigate condemnation of a large tract I subdivided and sold to my neighbor for 1 home and farm was in process. This property could only conceivably be used for an onlot land discharge system. In the 537 plan application you will be receiving from the township Alternative # 6 WWTP with land discharge is explored in an area almost a mile away. Nowhere in the document is any mention of this piece of property. Furthermore the engineer stated land discharge would not be feasible in the Upper Milford area. At a public recorded meeting the township and its affiliates in this project told us time after time that Alternative # 4 Sewer Service to the Leibert Creek Basin through Lehigh County Authority RT. 29 facilities was , AFTER EXHAUSTING ALL OTHER OPTIONS, the plan they will submit to DEP. They told the public that Option #6 wouldn't fly, they don't even provide cost breakdowns for that option in the present 537 plan they are providing you with. Why then would they even consider this condemnation investigation. It appears to me that the Pa. DEP is not being told the whole story. An official Act 537 plan would grant them legal powers that may be misused.

The township has put this on the table, four days after stating at a public meeting that Alternative # 6 won't work. More wasted engineering studies? How much is too much?

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Thank you for your attention to this matter,
James J Kellar
5401 Acorn Drive Emmaus Pa. 18049

cc Upper Milford Township
Ms. Kate Crowley Waste Management Program Manager DEP
Atty. Emil Kantra , Fitzpatrick, Lentz & Bubba PC

Upper Milford Township – Act 537 Sewerage Plan

Fact Sheet & Notice of Public Meeting

Upper Milford Township is poised to adopt a new Act 537 Plan, which recommends public sewer service for the Vera Cruz area. To help residents understand the proposed public sewerage project and its true costs and impacts, the Township's Board of Supervisors will hold a public meeting at 7 p.m. on Wednesday, August 17 at the Vera Cruz Fire Company Social Hall located at 4093 Main Road West, Emmaus. During this meeting, the project will be explained in detail, and residents will have an opportunity to ask questions and voice concerns. The Supervisors will consider the Plan for formal adoption at its August 30th meeting (starting at 7:30 p.m. at the Township building).

Note: Please use the information in this fact sheet to evaluate the financial impact of this project, rather than the calculations provided in The Morning Call's recent news article. The information in this fact sheet is a current and accurate representation of the proposed project costs. Please review this notice and bring your questions and comments to the August 17 public meeting, or contact the Township.

Project Area & Mandatory Connections

The proposed project will provide sewer service to 251 properties in the Village of Vera Cruz and adjacent areas including properties within the address ranges listed below.

5220-5329 Acorn Drive
All of Barney Avenue
All of Bow Lane
2641-2784 Brunner Road
2462-2540 Chock Road
All of Javjs Drive
5161-5251 Limeport Road
2795-3851 Main Road East
3883-4093 Main Road West
All of Marion Place
4031-4391 Mill Road
3471-3501 Quarry Drive
4102-4287 Shimerville Road
All of Sickie Circle
All Sickie Road
All of Spruce Road
4521-5501 Vera Cruz Road

A map of the project area is attached for your reference.

This project area was determined after careful consideration of many alternatives to meet the sewerage needs of this area, including a variety of routes for the sewer system, the use of a gravity system vs. pump stations, constructing a small, local wastewater treatment Plant vs. connecting into the regional system, or doing nothing at all. This proposed project includes providing sewer service to the Vera Cruz area of the Leibert's Creek Basin and connecting to Lehigh

County Authority's (LCA) existing facilities in the area of Route 29 for transmission into the regional sewer system and final treatment at the City of Allentown's wastewater treatment Plant. The project will utilize a combination of gravity and pump stations to transfer waste into the LCA system.

This project was determined to be the best alternative for the Township because it will address the high concentration of failing septic systems in the Vera Cruz area. Nearly 85% of the homes in the project area were determined to have confirmed, suspected or potential malfunctioning septic systems, according to an analysis based on Pennsylvania Department of Environmental Protection (DEP) criteria. This proposed project will take advantage of the regional sewer system and treatment Plant already in place, thereby avoiding the high cost of constructing and operating a separate treatment Plant in the Township.

In accordance with the Second Class Township Code, all properties that are adjoining or adjacent to the sanitary sewer, or whose principal building is within 150 feet of the sanitary sewer, will be required to connect.

Project Costs & Impact on Residents

The estimated total project cost is \$7,245,000. This is due to the length of pipe (more than 6 miles), the two pump stations required for this project, restoration of Penn-DOT roadways, as well as the required precautions that must be taken to preserve historically significant archaeological resources in the project area.

To help pay for this project, the Township will allocate \$924,000 from an EPA grant received previously for sewer projects. LCA is also contributing \$310,000 to the project. Both Township and LCA officials are applying for additional grants and loans to help pay for this project, and will continue to seek ways to reduce the cost to residents.

Based on the available financing outlined above, the cost to individual property owners will be reduced from estimates advertised in prior years. The individual property costs are split into three parts, each being one-time, upfront costs.

(more on back)

U P P E R M I L F O R D T O W N S H I P

5831 King's Highway South
PO Box 210

Old Zionsville, PA 18068

Phone: 610-966-3223

Fax: 610-966-5184

Email: info@uppermilford.net

Website: <http://www.uppermilford.net>

M.C article
est. of 35,000.00
per household
Look on other
side, do the
math.

Property Assessment: Property values are expected to increase in this area because this project will solve a major environmental problem in the Township and provide a much-needed public service. Therefore, the Property Assessment fee is based on the estimated increase in the assessed value of your property based on the availability of public sewer service. The fee will vary from \$40 to \$18,000. The average fee will be \$1,100. All properties within the project area, except those exempted by law, will pay an assessment fee.

Equivalent Dwelling Unit Charges (Tapping Fees): An Equivalent Dwelling Unit (EDU) is a single residential unit such as a single-family home or one apartment. Businesses will be assigned multiple EDUs based on their usage. The EDU Charges (also called Tapping Fees) are based on the appropriate share per EDU of the cost to treat the wastewater at Allentown's treatment Plant, the facility cost to transmit the wastewater through LCA's regional system, and the cost of the project itself. The total per-EDU Charge will be \$3,250. This means that a single-family home (1 EDU) would pay \$3,250; a single-family home with attached rental unit (2 EDUs) would pay \$6,500; and a three-unit apartment building (3 EDUs) would pay \$9,750. All properties required to connect will pay these fees.

Private Plumbing Connection Costs: Property owners will be responsible for making the physical connection from their property to the public sewer system as well as other required plumbing modifications. These private plumbing costs are estimated between \$3,000 and \$5,000, with the typical property being approximately \$3,500.

In summary, the one-time, upfront costs to individual property owners is calculated to be:

Property Assessment	\$ 1,100 (average)
EDU Charges (Tapping Fees)	3,250 (1 EDU)
Private Plumbing Cost	3,500 (typical)
Total Upfront Cost	\$ 7,850 (average)

Ongoing Sewer Rates

The upfront costs outlined above will significantly offset the project costs. However, remaining project costs must be recovered through the sewer billing rates, which will be calculated on a per-EDU basis.

The sewer rates will be composed of two parts:

- o Upper Milford Twp. sewer rate - currently \$451 per year
- o Vera Cruz Project surcharge - estimated at \$927 per year

This combined rate comes to a total of \$1,378 per EDU per year (or \$115 per month). $\times 12 \text{ mo} \times 20 \text{ yrs} = 27,600.00$

These estimated sewer rates will be reduced if additional funding becomes available through grants or other sources that the Township and LCA are currently pursuing.

Financial Assistance

The Township and LCA will pursue all available alternatives for funding in order to reduce project costs as much as possible. Residents may be asked to take a salary survey in order to determine if the project would qualify for a Community Development Block Grant. If the project doesn't qualify for the Block Grant, individual property owners may still be eligible, based on financial need, for assistance with the upfront costs. Information will be sent to residents in the future, and all are encouraged to apply.

In addition, LCA will offer property owners low-interest financing options to help alleviate the impact of some of the upfront costs. More information about this program will be sent to residents as the project moves forward.

Project Schedule

Following the Township's approval of the Act 537 Plan, DEP will review the Plan for approval. Once the Plan is approved, the Vera Cruz project must then be authorized by the Township's Board of Supervisors, and additional public meetings will be held to review a more detailed project analysis at that time. Should all of these steps be successful, then system construction is estimated to begin in early 2007.

Other Areas Addressed in the Act 537 Plan

South 7th Street Extension and Pike Road – Sewer service will be provided through a separate project via a Planning module amendment. Information will be provided to residents in this area in a timely manner.

Remaining Areas of the Township – The remaining areas of the Township within the Act 537 Plan's Proposed Sewer Service Areas will be serviced on an as needed basis.

Septic Management Program – The Township will, within nine months of the Plan's approval, initiate the development of a Septic Management Program for all properties not connected to the sewer facilities. This program will be enabled through the adoption of a Septic Management Ordinance and require that all on-site systems are periodically maintained and inspected.

Plan Review & Comments

This fact sheet is a summary of the Township's proposed Act 537 Plan. A complete copy of the Plan is available for review in the Upper Milford Township Building located at 5831 King's Highway South, Old Zionsville. Send written comments to: Secretary, Board of Supervisors, Upper Milford Township, P.O. Box 210, Old Zionsville, PA 18068. All written comments must be received by August 29, 2005 for consideration by the Board of Supervisors at their August 30 public meeting. A copy of all written comments, together with the written response of the Township to each comment, will then be submitted to DEP for approval.

Average - $7,850.00 + 27,600.00 = 35,450.00$ Looks accurate to me

#15

CC: BOS
D. DeLong
B. Miller

UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS
P. O. Box 210
5831 King's Highway South
Old Zionsville, PA 18068

August 25, 2005

Dear Supervisors:

After attending the Special Sewer Meeting at the Vera Cruz Fire Co. on August 17th, I am more confused and skeptical of the need for this extensive, expensive plan than before.

I do not believe a Consultant from another Engineering Firm would stand before a large gathering of township residents stating not all options for solving the failing sewerage systems have been explored, unless he had knowledge that other solutions were possible.

Although I sympathize with those residents who are having problems, the rest of the township residents are not responsible for their problems and should not be financially burdened for the problems which they may have neglected to maintain for many years --- -- or are we responsible for them building their homes in areas that were unsuitable for necessary systems from the very start????

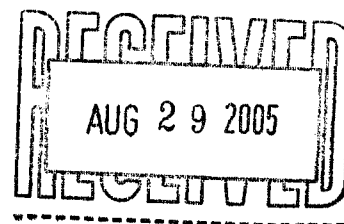
I, personally, upon purchasing property, and finding improperly working systems, have had replacement systems professionally installed – which I maintain continuously, at a cost to NO ONE ELSE. Let others do the same.

I feel if the Supervisors pass the present Act 537 plan and forceably cost innocent Residents thousands of dollars for something they do not need, they will do us a tremendous injustice,-- as well as opening the door to massive building, destroying the Open Space policies we in this rural area would hope to preserve.

Sincerely,

William G. Stahler
4864 Vera Cruz Road
Emmaus, Pa.
Resident of Upper Milford – 53 years
Property owner/taxpayer - 49 years

WGS/BMS



Phils Automotive LTD.

3284 Main Road East

Emmaus, PA 18049

610-967-5754

#16

CC: BOS

D. DeLong

B. Miller

8-24-05

Rec'd
8-29-05
C. BOS

TOWNSHIP, TO BE ATTACHED TO 537 PLAN

MY COSTS FOR THE PENDING VERACRUZ SEWER PROJECT ARE TOTALLY OUT OF LINE. UPWARDS OF \$100,000⁰⁰~~XX~~

I AM BEING TOLD TO FINANCE A PUBLIC WORKS JOB.

THIS SHOULD BE PAID FOR WITH A "BOND" THAT THE TOWNSHIP BUYS AND THE COMMUNITY REPAYS.

A TAPPING FEE AND A QUARTLY USER CHARGE IS HOW OTHER TOWNS DO IT.

I HAVE TALKED TO SEVERAL PEOPLE WHO HAVE GONE THROUGH RURAL SEWER HOOKUP AND NONE OF THEM HAVE DEBT WITH WHAT YOU PROPOSE.

THERE APPEARS TO BE MORE TO THIS THAN SEWER.

I AM BEING SOLD OUT BY ELECTED OFFICIALS AND PUBLIC EMPLOYEES, SO THAT MY "TOWN CENTER" CAN FIT THE "COMPREHENSIVE PLAN" PROPOSED BY SOME OF THE SAME PEOPLE ON BOTH BOARDS

THIS IS NOT RIGHT AND YOU NEED TO FIX IT.

Phillip M. Casey Pres.

Township supervisors, manager,
Sewer problem , act 537

#17

CC: BOS
D. DeLong
B. Miller

8/26/05

Rec'd
8-29-05

Why are we paying for a public sewer system?

Is the Leibert creek contaminated?

Is it contaminated in Emmaus?

Is it even about the creek as previously presented?

How many septic are failed?

How many are failed in Upper Milford?

Has your own been tested? Why not?

Has a block survey for income been sent out before this act 537 been sent in?

Why not?

Why have you lost out on some grants?

Who is behind making this so costly, that people will lose their homes or businesses? Who is on the take?

Besides LCA making a profit off of our money to set up a business for them and you getting a kick back from our money, who else is involved? Large developers?

Where do I send our monthly bill to for the use of our own private well water, the use of the pipes we paid for, the use of the pumping station we paid for?

Did the comprehensive plan mean growth of a community by chasing out residents and businesses for more high end homes and where no business will survive the high cost? This is a deterrent in this area not an improvement.

Why are you not creating harmony in the community?

Why do we always get different answers? Depending on who you are talking to, there is always a different answer. Why are you being two faced?

Why are you not upfront with people, are you afraid you will get caught in two different answers?

Why are you trying to put people out of their homes? And businesses?

Why do other areas not have to foot the bill for a public utility, the township or town does?

Why didn't you already have a fund set up for this? It didn't just happen

yesterday. Who is in charge of this?

Why are you willing to destroy farms? For large developers? So they can make a profit? And you will generate income from development for taxes? How much will south 7th street be paying?

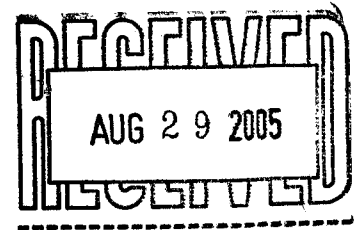
Why is there different rules for different people?

Why are selling us out? Would you do this to your own property? Have you done any soul searching lately? Can you sleep at night knowing what you are doing?

Melody Casey

5326 Vera Cruz Rd. S.
PO Box 65
Zionsville, PA 18092

August 25, 2005



Upper Milford Township
Board of Supervisors
PO Box 210
Old Zionsville, PA 18068

#18

CC: BOS
D. Delong
B. Miller

RE: Act 537 Plan

Dear Supervisors,

I have lived in the "downtown" Vera Cruz area since March 1981. Over the years I have attended sewer meetings and listened while one alternative after another was discussed then tabled. It always seemed to come back to the public sewer system as the cheaper/better alternative.

I don't know much about public sewerage and I don't pretend to have the answers. In my opinion there is no doubt something needs to be done. While my system works fine today (with lots of TLC) several of my neighbors have problems. What happens if my system stops working next week? What will it cost to put a new system on my 40'x150' lot? Can it even be done?

If someone has a better/cheaper alternative in their back pocket I say get it on the table and let's move with it otherwise we have played with this long enough, what are we waiting for? I have a copy of a proposed Act 537 plan handed out at a public meeting Sept. 10, 1998. The service area and total number of EDUs are about the same... projected cost then \$2,041,000

...projected cost now \$7,245,000

Why such a large disparity between 1998 and 2005?

I understand it will cost a small fortune, which I don't have buried in my backyard. I worry about the cost to my elderly neighbors and the young families struggling. I am concerned as a single head of household that the monthly sewer bill for my one bathroom house will be more than my monthly electric bill!

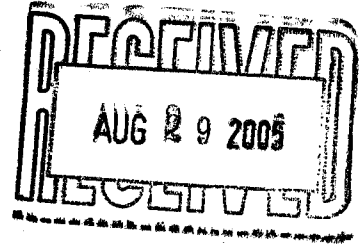
What's the alternative sit and smell the sewer water running down my street while we wait for the price to go higher yet? I hope you will continue to search for grants, loans, and other ways of helping us out.

Thank you for your time,

Elaine Heiserman

#19

August 26, 2005



CC: BOS
D. DeLong
B. Miller

Upper Milford Township Board of Supervisors

PO Box 210
Old Zionsville, Pa 18068

Dear Board of Supervisors,

This purpose of this letter is to record my comments and to ask a few questions regarding the Vera Cruz sewer project.

First, I must state that I am in favor of this project. I know the board has put an enormous effort into this project. I am impressed with the amount of research and the level of detail presented in the project. Although, I am at a loss to understand why it has taken 20 years to get to this point.

My first thoughts, after attending the meeting on the 17th was a comment made at the very beginning of the meeting. Daniel DeLong stated that this project was for the whole township and benefited the community as a whole. If this is true, which I also believe to be, then why are the residents of the project area being forced into paying for township infrastructure? Is this not why we pay taxes? I have never been asked by the Penn Dot to pay for state road repairs because I live on that particular road. Tax revenues provide for this infrastructure, not out of pocket money from residents. I have a real problem with this rate surcharge being assessed to the current residents. It almost borders on criminal. I realize that funding and grants are a possibility to reduce this surcharge, but even if the surcharge amounts to one dollar it still is not right.

I have no problem with the required Facility and yearly maintenance fees. These fees are expected, although these fees are higher than residents pay in other municipalities, I understand that the costs are higher because there is no existing infrastructure.

I do not intend on paying for township infrastructure out of my pocket. It is unreasonable to expect current residents to provide funding for infrastructure that will benefit the township, and future residents, long after we are gone. This is my primary concern. The scope area encompasses homes that are modest in value. There are a lot of single income and elderly residents. The current taxes we pay, in my opinion, are affordable for the Lehigh County area, but to require residents to pay the entire expense for this enormous project is unreasonable. There are many who just cannot afford it, myself included. The tapping fees and monthly maintenance cost alone will be a hardship for many. This rate surcharge just makes it unaffordable altogether.

I have personally surveyed a number of people from many areas who at one point were faced with incoming public sewage systems. In no instances did I find that their costs encompassed paying for the infrastructure. And most often the tapping and yearly maintenance fees were much lower than what is expected for the Vera Cruz area.

You as supervisors must look hard at the demographics of this project area. Look at the people. You know a lot of them. Can you honestly say that these estimated expenses are affordable for them? I do not believe they are and I am afraid that some people may have to sell their home. I have already considered that option myself.

In closing there are a few questions that I feel that were not answered clearly at the meeting on the 17th.

- A. If this surcharge is imposed, and for the sake of argument, I'll use 1000.00 dollar surcharge and a 500.00 annual maintenance fee. If I sell my home a year after the project is completed, am I responsible for the balance of that 20 year surcharge? Or will the new resident be expected to pay the 1500.00 yearly until the 20 year note is paid off? What was the Morning Call referring to when they mentioned a lien on the property for this 20 year note?
- B. How does the township plan to pay for future septic management programs and future sewage expansion projects? Is this not another reason for a township wide tax revenue evaluation?
- C. I would like to know in detail what the "Public Facility Fees" encompass and how the figures are reached. Why are they so high compared to other sewage projects in the county?

Thank you for you time.

Respectfully,



Robert K Johnson



WHITTEMORE AND HAIGH ENGINEERING, INC.
 200 BETHLEHEM DRIVE, SUITE 201
 MORGANTOWN, PA 19543

RECEIVED
 AUG 29 2005

August 26, 2005

#20

CC: BOS
 D. DeLong
 B. Miller

Board of Supervisors of Upper Milford Township
 Attn: Secretary
 Box 210
 Old Zionsville, Pennsylvania 18068

RE: Act 537 Plan Update
 Upper Milford Township
 Comments for the Record

Dear Township Secretary:

Whittemore and Haigh Engineering, Inc. (WHEI) represents Mr. and Mrs. George DeVault, 3502 Main Road East, Upper Milford Township and numerous other residents within the Township regarding engineer matters concerning the adoption of the Act 537 Plan Update.

WHEI wishes to make the following comments for the public record and requests a response to each and every comment.

1. My comments at the Public Meeting held on August 17, 2005.
2. Comments number 1 through 9 of WHEI letter dated August 25, 2005 to Ms. Kate Crowley, Waste Management Program Manager, PADEP Northeast Regional Office, PADEP (Enclosure 1)
3. By letter dated August 16, 2005 (Enclosure 2) WHEI requested information (items 8 and 9) regarding degradation of surface water quality standards to Liebert Creek. The Township responded by letter dated August 19, 2005 that no such records exist. The Act 537 Plan Revision has therefore failed to document that there is a confirmed surface water pollution issue as required by regulation
4. The following documents were not made part of the official Act 537 Plan Revision. Why were these import documents left out of the report?
 - a. Letter from Upper Milford Township to Ms. Kate Crowley, PADEP, dated November 24, 2005 (Enclosure 3).
 - b. Letter from PADEP to Upper Milford Township, dated December 3, 2005 (Enclosure 4)
 - c. Letter from LCA to PADEP, dated May 10, 2005 (Enclosure 5)
 - d. Meeting minutes of October 17, 2004 walkthrough with PADEP

CIVIL
 ENVIRONMENTAL
 GEOTECHNICAL
 HYDROGEOLOGICAL
 STRUCTURAL
 WATER RESOURCE MANAGEMENT
 CONSULTING & ENGINEERING



- e. Meeting minutes of May 18, 2005 meeting with Federal and State elected officials or representatives.
5. Based upon the official "Needs Identification" survey there are 99 confirmed malfunctioning systems. The same survey only identifies 9 on-lot systems on either BTG or holding tanks. While the confirmed malfunctions meet the 25% requirement the "Needs Identification" survey " fails to demonstrate a "public health issue. A public health issue is defined as either raw sewage on the ground or backup in the house. The Township has not followed the PADEP "Technical Decision Making" Flowchart (Enclosure 6) for system repairs since there was a predetermined outcome to the Act 537 Plan Revision.
 6. The public record fails to demonstrate a "pollution issue" since no water well samples or surface water samples have been collected since 1996.
 7. The Plan Revision Environmental Analysis claims that surface water quality will be improved. Since there is no documented evidence of degradation of surface water standards explain how it can be improved.
 8. PADEP Policy No. 362-2206-007 (Enclosure 7) requires that solutions to failed on-lot sewage systems be "practical and affordable". The Act 537 Plan Revision has provided costs but has failed to demonstrate that Alternative 4 is either "affordable" or "practical."
 9. The Act 537 Plan Revision has not evaluated "Alternative System Guidance (ASG) as a viable alternative for failed on-lot systems.
 10. Alternative 4 has lumped R-SR and RA properties into the same service area. Table 2-10 for LC-2 list density as high and limiting isolation distances as high. This may be true in the R-SR zoning district but not the RA zoning district. The R-SR and RA areas should be separate study areas.
 11. Section 2.4.4.2, Estimated Population is based upon historical building permits. This is a false basis for projecting population since historic building permits issued were restricted by lack of public sewers. With the construction of public sewers the population will explode forever changing the rural character of the Township.
 12. Table 3-6, Summary of Sewer Alternative Capital Costs lists Alternative 4 at \$7,245,060. The LCA letter to PADEP on 10 May 2005 lists the costs at \$7,740,000. Explain this cost increase of \$494,940.
 13. PADEP letter dated October 29, 2004 (page 3) questioned the construction cost of the Vera Cruz Treatment Plant of \$230,000 as too high. The Township has not answered this question which in turn changes the cost analysis. The cost difference between Alternative 4 and 5 is reduced by at least \$500,000. Please explain.
 14. Section 4.3.2.1 Grants(s) and Municipal Contributions: The assessment of properties based upon acreage is non-productive. The assessments (\$310,843) represent only 4.02% of the project costs. It is an unjust



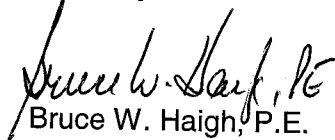
- allocation of costs and will encourage large property owners to sell their properties to developers.
15. The Township of Upper Milford is contributing zero General budget funds for the project. Since allegedly the entire Township will benefit the millage rate should be increased to offset these exorbitant costs.
 16. PADEP recommended that the existing LCA UMiT annual common rate charge of \$452.00 be increased. The Township rejected this suggestion. Please explain.
 17. The private plumbing fees have been grossly underestimated for properties in the RA zoning district. I am aware of two properties where the plumbing fees estimates from qualified contractors will be \$ 31,800 (Enclosure 8) and \$58,000.
 18. The Township failed to properly evaluate low-pressure systems. I have enclosed literature from USEPA (Enclosure 9) and Buck County Water and Sewer Authority on the Willshire/Pebble Hill Public Sewer Project (Enclosure 10). Consideration of low-pressure systems will change the cost analysis and thus change the decision matrix. It has been documented that low-pressure sewers can reduce capital costs by 20% and more importantly will restrict capacity for future development.
 19. The median income in Upper Milford Township is \$67,000 per household. PENNVEST will not support grants, only low interest loans. Please explain the financing package.
 20. USEPA will not provide additional funding through grants. Please explain your financing package
 21. Any Federal funding promised by Senator Santorum's office will have to be an appropriation. This is a campaign promise not a viable funding source for cost analysis or "affordability" analysis. Please explain.
 22. The Township has the authority of making connection to Alternative 4 either "mandatory" or "non-mandatory". Please explain why a homeowner with a perfectly good functioning system is compelled to connect.
 23. Since the sewer main in Main Street East is a gravity line for houses 500' from the line the main will have to be buried greater than 8' deep or the residents will be required to install grinder pumps at LCA estimated cost of \$3,200.00. This is not included in the cost estimate
 24. The cost estimate fails to consider high water table in the construction of the sewer mains. If one of the reasons on-lot systems are failing is high water table should we not also consider high water table when the average depth of the sewer mains is 8 feet.
 25. The Township need to enforce the Sewage Management Ordinance for all on-lot systems and require water well sampling and treatment systems.



WHEI recommends that the Township reconsider the Act 537 Plan Revisions and not adopt the Plan Revision at this time. The new Plan Revision would focus on the Village of Vera Cruz (R-SR zoning district), low pressure collection system to either a community on-lot, stream discharge or pumping to Allentown. Connection would only be mandatory for confirmed malfunctioning systems that require BTG or holding tanks. Financing should be through a millage rate increase and an increase in the UMiT common rate charge. Large lot landowners would be required to connect when their system becomes confirmed malfunctioning and can not be repaired without BTG.

WHEI thanks you in advance for your cooperation in this matter. I can be reached at my office at (610) 913-6820.

Sincerely,


Bruce W. Haigh, P.E.
President

Enclosures

cc: Enviro/DevaultCommentsAct537082605.doc
G. DeVault



**WHITTEMORE AND
WH HAIGH ENGINEERING, INC.**
200 BETHLEHEM DRIVE, SUITE 201
MORGANTOWN, PA 19543

(610) 913-6820

Fax
(610) 286-1679

Cell
(610) 698-7697

August 25, 2005

Ms. Kate Crowley
Waste Management Program Manager
Northeast Regional Office
2 Public Square
Wilkes-Barre, Pennsylvania 18711-0790

RE: Act 537 Plan Revision
Upper Milford Township
Lehigh County

CIVIL

Dear Ms. Crowley:

ENVIRONMENTAL

Whittemore and Haigh Engineering, Inc. (WHEI) represents Mr. and Mrs. George DeVault, 3502 Main Road East, Upper Milford Township and numerous other residents of Upper Milford Township, regarding engineer matters concerning the proposed adoption of the Act 537 Plan Revision. I have been asked to review regulatory and technical issues associated with the Act 537 Plan Revision.

GEOTECHNICAL

HYDROGEOLOGICAL

The Upper Milford Township Act 537 Plan Revision, which was advertised on July 29, 2005 for the required 30 day comment period, is essentially the same Plan Revision that was submitted to PADEP in late 2004. At that time PADEP reviewed the Act 537 Plan Revision and issued a review letter dated October 29, 2004, signed by James A. Ridgik, P.E.; Sanitary Engineer, Water Management Program. I quote from page 5, General Comments of the Departments review letter.

STRUCTURAL

**WATER
RESOURCE
MANAGEMENT**

“Given the scope of the above comments, the Department *recommends* that the Township *should consider withdrawing* the Plan at this time. A letter requesting withdrawal would need to be sent to the Department. If the Township elects not to withdraw the Plan, the Department requests a response to the above comments no later than December 1, 2004.

**CONSULTING
&
ENGINEERING**

I have reviewed the Act 537 Plan Revision, attended and commented at the public meeting on August 17, 2005, held discussions with Schreiter



Engineering Associates (Plan Revision Engineer) and spent almost two hours one on one with Mr. Brian Miller, Upper Milford Township SEO, going over in detail the "Need Identifications" survey. I wish to offer you some comments on the process of completing the Act 537 revision by the Township and the Department.

The Township Supervisors are required by law to base their decision to adopt or not adopt the Act 537 Plan Revision based upon the public record, which consists of the Plan Revision as presented at the August 17, 2005 public hearing, comments and answers at the public hearing and written correspondence. I will refrain from hearsay, rumors, innuendos, campaign promises and back room politics/conversation, since these are not part of the public record. Believe me when I tell you that the citizens of Upper Milford are irate concerning the manner in which they perceive the Township and the Department has handled this matter. I am convinced that they are justified in their outrage.

Alternative 4; Vera Cruz Service Area consists of 318 properties in the Village of Vera Cruz, Vera Cruz Road, Main Road West (All Rural-Suburban Residential) as well as Main Road East and the Moyer Subdivision Phase I and II (both Rural Agricultural). Two Hundred and Sixty Six (266) of these properties were surveyed.

1. The Needs Identification survey as presented in the report identified 99 confirmed malfunctions however the same survey only identifies 9 properties utilizing either a "best technical guidance" (BTG) or a holding tank. In discussions with the Township SEO, he indicated that he can, when required, document additional BTG, particularly in the Village of Vera Cruz. The Plan Revision as presented does not demonstrate a "public health" issue warranting a community sewage system.
2. The most recent individual water well sampling was performed in 1993-1996 (at least nine years old). I was informed by Mr. Karl E. Schreiter, Jr. P.E. DEE of Schreiter Engineering Associates, that the Department refused to fund individual water well testing as part of the scope of work. As such, the report fails to document a "pollution issue" warranting a community sewage system.
3. The most recent surface water sampling was performed in 1993. I was informed by Mr. Karl E. Schreiter, Jr. P.E. DEE that the Department refused to fund surface water sampling as part of the scope of work. As such the report fails to document a "pollution issue" warranting a community sewage system.
4. I asked the Township if they had any correspondence from downstream public water supply uses on Liebert Creek indicating a "pollution issue". The Township has none. I asked the Township if



they had any reports indicating degradation of surface water quality on Liebert Creek. The Township has none. As such the report fails to document a "pollution issue" warranting a community sewage system.

5. I asked the Township if the Department's "Technical Decision Making" matrix had been utilized on repairs to confirm malfunctions prior to proceeding with BTG repairs. The answer was basically NO. In all objectiveness, I will acknowledge that within the "Village of Vera Cruz" the TDM matrix will in most cases, lead you to BTG or a holding tank due to the small lot sizes, floodplain and isolation distances. In the Rural Agricultural District the TMD matrix will work.
6. I was informed that sometime after 2002 the Department visited the Township, performed a site walkover, waved the magic hand and deemed the on-lot systems were not a viable alternative. There is no record of the site visit and subsequent discussions. It is part of the decision making process and must be made part of the public record. Apparently the only thing the Department wanted was an update of confirmed malfunctions and thereby allowed the Township to proceed with BTG as an interim to a community sewage system. The Department therefore predetermined the outcome of the Act 537 Plan Revision. The outcome being a community sewage system.
7. The Plan Revision lumps the R-SR and the RA zoning districts into one Vera Cruz Study Area. It then characterizes this study area as a high priority due to density, isolation distances and floodplain. This is true of the Village of Vera Cruz (R-SR) but not necessarily true of the RA zoning district. The two zoning districts should have been broken out into a two-study area. The only reason I can determine they were not is because they are both in the same drainage basin and this is how the previous studies had been done. That is not an acceptable answer.
8. The report as written, fails to even consider or analyze Alternative System Guidance (ASG) in determining if individual on-lot sewage systems are acceptable as part of the Alternative Analysis.
9. PADEP Policy No. 362-2206-007, "Policy Establishing New Program Direction For Act 537 Comprehensive Planning", dated April 15, 1997 clearly states that:

"Both municipalities and the Department must realize that it may be impossible for some *rural communities* to correct sewage problems using conventional collection, conveyance and treatment systems, due to low development densities and lack of available funding.



Mr. Frank Leist, Lehigh County Authority, took a real drag them down, bare knuckle beating at the August 17, 2005 public meeting from irate citizens over the individual costs to the residents for the "Vera Cruz Area" project. He indicated that Alternative 4 has the highest individual costs of any project LCA has undertaken. There most likely exists a real problem in the Village of Vera Cruz (R-SR), yet the larger rural landowners in the RA district, many of whom do not have confirmed malfunctions, have alternative sites and/or could employ ASG are being asked to bear the burden of the costs of up to \$24,750.00 for a single family residence. This includes an average private plumbing fee of \$3,500.00. Many residents on large lots will be higher and some individual residents who have to bore under a stream could be considerably higher. One of my clients has a written estimate from an Allentown plumbing contractor that his actual plumbing fee would be \$31,812.50 not \$3,500.00. Another client has an estimate of \$58,000.00 since he must bore under a stream.

The published Township cost estimates do not include the cost of abandoning the on-lot system (\$1,500.00) and a monthly service charge of \$115.00/month for the next 20 years. These costs are the costs the Township and LCA provided. It takes a real stretch of the imagination or Donald Trump type money to consider this affordable.

The issues involving Alternative 4, "Vera Cruz Study Area" are not strictly technical. They are policy and politics. Your own Department Engineer recommended that the Township **consider withdrawing** the Plan Revision. The proposed Plan Revision fails to meet the smell test on affordability. When the Township is allowed to perform a full, complete and properly defined "Needs Identification for the Village of Vera Cruz (R-SR zoning district) there is a high probability that a proper and complete alternative analysis will document a requirement for a community sewage system in the Rural-Suburban Residential (R-SR) zoning district. This problem in the Village of Vera Cruz has been smelling and festering like a cesspool for the last 30(+) years. The issue remaining then would be affordability.

The Township has taken action to redefine Zoning Districts and SALDO requirements to allow for acceptable on-lot systems by requiring minimum lot sizes, requiring primary and alternate absorption beds, maintaining 50' buffers on wetlands, considering soils, high groundwater table and steep slopes, etc. If we all had 20/20 hindsight then the problems of the Village of Vera Cruz and Moyer Subdivision Phase I would not exist.

On behalf of my clients and the residents of Upper Milford Township, I am asking that you and representatives of your regulatory/policy making and engineering staff attend the August 30, 2005 Township Supervisors meeting. The Township is being torn apart because of the



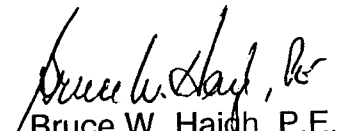
preverbal not in my back yard (NIMBY) mentality. It is neighbor against neighbor. The haves against the have nots. The needs identified against the needs identified nots. Reasonable people can disagree in a reasonable manner. Alternative 4 is causing people to go beyond reason. People are being forced to consider selling their farm land to developers because they can not afford to pay the unrealistic, unjustified and unaffordable costs of this proposed community sewage system (Alternative 4).

There may well be a valid need for community sewers in the Village of Vera Cruz. Alternative 4 is not the answer. A lot of good conscientious people to include the Township Supervisors, Mr. Dan DeLong, Township Manager; Mr. Brian Miller, Township SEO and two highly respected engineering firms put their best effort into trying to find a viable, environmentally acceptable and affordable solution. Alternative 4 is not the answer.

The Township elected officials and the Township residents need the help of your Department in finding a viable, environmentally acceptable and affordable solution. There is an old saying that I was taught many years ago when I was a raw young lieutenant in the U.S. Army. If you are not part of the solution, then you are part of the problem. The Department cannot stand on the sideline. I implore you, your policy/regulatory staff and your engineer, to attend the August 30, 2005 meeting and become part of the solution.

WHEI thanks you in advance for your cooperation in this matter. I can be reached at my office at (610) 913-6820.

Sincerely


Bruce W. Haigh, P.E.
President

cc: Enviro/DevaultAct537082505.doc
G. DeVault
Upper Milford Township
Schoor Depalma
Schreiter Engineering Assoc.
J. Ridgik, P.E., PADEP
M. Brunamonti, P.E., PADEP



**WHITTEMORE AND
WHIGH ENGINEERING, INC.**
200 BETHLEHEM DRIVE, SUITE 201
MORGANTOWN, PA 19543

(610) 913-6820

Fax
(610) 286-1679

Cell
(610) 698-7697

August 16, 2005

Secretary
Board of Supervisors of Upper Milford Township
Box 210
Old Zionsville, PA 18068

RE: Act 537 Plan Update
Upper Milford Township
Request for Information

Dear Township Secretary:

Whittemore and Haigh Engineering Inc. (WHEI) represents Mr. and Mrs. George DeVault, 3502 Main Road East, Upper Milford Township regarding engineering matters concerning the adoption of the Act 537 Plan Update.

Under the Freedom of Information Act and appropriate Commonwealth of Pennsylvania laws and regulations request Upper Milford Township provide copies of the following documents to facilitate my review of the Act 537 Plan Update. I need the information **immediately** so that WHEI can respond within the 30-day comment period ending August 28, 2005

1. Electronic copy of the Excel spreadsheet, Vera Cruz Needs Analysis Survey Data, utilized by Mr. Brian Miller, Upper Milford Township SEO (Appendix M). The columns on the Excel spreadsheet have been squeezed to fit the page and some of the text can not be read.
2. Copies of all on-lot survey forms for all lots classified as "confirmed malfunction" in the Vera Cruz Needs Analysis Area.
3. Copies of all "repair permits" for confirmed malfunctioning on-lot systems in the Vera Cruz Needs Analysis Area.
4. Copies of a "new replacement installation permits" for new on-lot systems to replace failed on-lot systems in the Vera Cruz Needs Analysis Area.
5. Documentation by year starting in 1996 of all "existing occupancy permits revoked and/or new occupancy permits which could not be issued" due to inadequate on-lot septic systems"
6. Documentation by year starting in 1996 of all Upper Milford Township, Lehigh County or other regulatory agency notices of "public health" violations due to failed on-lot septic systems.
7. Copies all laboratory analytical test reports on private on-lot water individual water supplies, used in the 1996, 2002 and 2004-2005 Vera Cruz Needs Analysis Area analysis by your consulting engineer, Schreiter

CIVIL

ENVIRONMENTAL

GEOTECHNICAL

HYDROGEOLOGICAL

STRUCTURAL

**WATER
RESOURCE
MANAGEMENT**

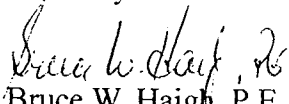
**CONSULTING
&
ENGINEERING**

Engineering Associates, Inc. Analysis should include total coliform, fecal coliform, nitrates and MBAS.

8. Copies of all reports of "degradation of surface water standards" for Liebert Creek used in preparing the Act 537 Plan Update report
9. Copies of all correspondence from/to public water supplies or commercial/industrial users downstream of Vera Cruz on Liebert Creek or the Little Lehigh River documenting degradation of surface water standards caused by human waste originating from Upper Milford Township.
10. Copies off all "site inspections and testing" performed by your consultant's "Soil Scientist" to lots within the Vera Cruz Needs Analysis Area with documented "confirmed malfunctions" to determine the appropriateness of Alternative systems as defined by PA Code Title 25, Chapter 73.

WHEI thanks you in advance for your cooperation in this manner. WHEI is willing to pay all reasonable costs associated with gathering this information. I am willing to come to the Township building to review the information. I can be reached at my office at (610) 913-6820.

Sincerely


Bruce W. Haigh, P.E.
President

Cc: Enviro/DeVault537Inforequest.doc
G. DeVault

11/30/04
JK



**UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS**

PO Box 210 ~ 5831 King's Highway South
Old Zionsville, PA 18068
Phone: (610) 966 - 3223 ~ Fax: (610) 966 - 5184
E-mail: info@uppermilford.net
Web: <http://www.uppermilford.net>

Chairman
Susan J. Smith

Vice-Chairman
Daniel J. Mohr

Supervisor
Henry H. Kradjel

November 24, 2004

WATER QUALITY
COUNTY: Lehigh

KC 11/30
Ms. Kate Crowley, Program Manager
Water Management Program
PA Department of Environmental Protection
Northeast Regional Office
2 Public Square
Wilkes-Bare, PA 18711-0790

NOV 29 2004
MUNIC: Upper Milford Twp
FACILITY: "
FILE CODE: 001537

**RE: Upper Milford Township, Lehigh County
Act 537 Plan withdrawal request**

Dear Ms. Crowley:

This letter is to inform the department that Upper Milford Township requests that the Township's Act 537 Plan Revisions (Plan) received by your office, on August 13, 2004 be withdrawn at this time.

The Township is requesting plan withdrawal at this time to allow for the completion of additional components or revisions to existing components of the plan. We are in the process of finalizing financing details and detailing the deficiencies of certain other areas of the plan for the purpose of revising the plan document. The Township expects to readvertise the Public Notice for the revised plan upon completion of the revisions.

The Township understands that by withdrawing the plan the Township will not be jeopardizing future expedient review of the plan by the department upon resubmission by the Township. The Township believes it is important to submit a complete plan that addresses the Townships needs while also accounting for long time problem areas. This process must move forward in a reasonably timely manor in order to take advantage of some currently available funding options for physical projects.

The Township expresses our thanks for the departments assistance in this matter and is grateful for your consideration of this request.

November 24, 2004
Upper Milford Township, Lehigh County
Act 537 Plan withdrawal request
Page 2

If you or your staff have any questions please call me at 610-966-3223.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan DeLong", written in a cursive style.

Daniel A. DeLong
Township Manager

DAD:ck

Cc: Board of Supervisors
Russell Benner, Schoor DePalma
J. Boldar, Schoor DePalma
Aural Arndt, LCA
Frank Leist, LCA
Karl Schreiter, SEA
M. Gallager, Pennvest

OP 537/1st Copy



Pennsylvania Department of Environmental Protection

2 Public Square
Wilkes-Barre, PA 18711-0790
December 3, 2004

Northeast Regional Office

570-826-2511
Fax 570-830-3016

Mr. Daniel DeLong, Township Manager
Upper Milford Township
5831 Kings Highway South
P.O. Box 210
Old Zionsville, PA 18068

Re: Act 537 Plan Revision
Plan Withdrawal
Upper Milford Township, Lehigh County

Ladies and Gentlemen:

This letter is to inform Upper Milford Township that we received your letter of November 24, 2004 requesting that the Township's Act 537 Plan Revision (Plan) be withdrawn from the Department's Office. This letter acknowledges the Plan withdrawal.

If you should have any questions, please call James Ridgik of my staff at 570-826-2335.

Sincerely,

Kate Crowley
Program Manager
Water Management Program

- cc: A. Arndt/Lehigh County Authority
- R. Benner/Schoor DePalma
- J. Boldaz/Schoor DePalma
- M. Gallagher/PENNVEST
- F. Leist/Lehigh County Authority
- B. Miller/Upper Milford Township
- D. Mohr/Upper Milford Township
- S. Rockwell/Lehigh Valley Planning Commission
- K. Schreiter/Schreiter Engineering Associates, Inc.





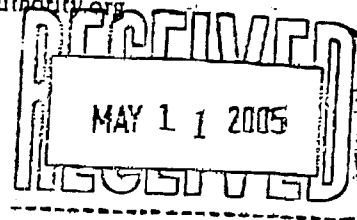
LEHIGH COUNTY AUTHORITY

1053 SPRUCE STREET • P.O. BOX 3348 • ALLENTOWN, PA 18106-0348

610-398-2503 • FAX 610-398-8413

email: service@lehighcountyauthority.org

10 May 2005



James Ridgik, P.E.
Sanitary Engineer
Bureau of Water Quality Management
Pennsylvania Department of Environmental Protection
2 Public Square
Wilkes-Barre, PA 18701

COPY
BOS
D DeLong
B Miller

Subject: Vera Cruz Area Sanitary Sewer Project
Upper Milford Township

Dear Mr. Ridgik:

Since Upper Milford Township (UMiT) withdrew their proposed ACT 537 Plan, we have been working with the Township to identify project issues and to address the financial impact of the project on the residents. It is our opinion that the information contained herein, satisfactorily addresses all your concerns regarding the financial aspects of the project.

PROJECT OVERVIEW

The proposed project will provide public wastewater service to approximately 281 Upper Milford Township properties located in the Vera Cruz area. Approximately 261 of these properties will be required to connect to the system; the remaining 20 properties are vacant. There are approximately 299 existing Equivalent Dwelling Units (Edus), and 11 future Edus. The Project Area is shown on Exhibit "A"

The units to be served are on small lots and have been plagued with failing on site septic systems for many years. There is no feasible method to resolve the existing failures without the installation of a public system. There is very limited opportunity for additional or future development in this area due to existing environmental and regulatory limitations such as jasper quarries, wetlands, high water table and floodplains. The stream receiving the contaminated water flow is a tributary to the Little Lehigh Creek, a drinking water supply for the City of Allentown, PA.

The proposed system will consist of the installation of approximately 28,000 feet of gravity sewer, 6,200 feet of force main, 500 feet of low-pressure main, 2 pumping stations, associated lateral piping, some individual low pressure pumps and related roadway restoration.

SEWAGE DISPOSAL NEEDS IDENTIFICATION

The Project Area is within the study area that has been identified for public sewers in the September 2003, Upper Milford Township ACT 537 Plan Revision. Data from a Sewage Disposal Needs Identification conducted by the Township Sewage Enforcement Officer of 266 of the 281 properties in the Project Area indicates that the on-lot sewage systems fall into the following DEP categories:

Sewage Disposal Needs Identification Results	No. Properties	% (1)
Confirmed Malfunctions	99	37.00%
Suspected Malfunctions	52	20.00%
Probable Malfunctions	78	29.00%
No Malfunctions	37	14.00%
Not Surveyed	15	6.00%

(1) Percentage of properties surveyed.

ESTIMATED COSTS

Public Facility Project Cost

Public facility project cost for a gravity system, including the purchase of wastewater allocation, is estimated at \$7,740,000. Exhibit "B" provides a detailed conceptual cost estimate that assumes RADOT will not require flowable fill or borings.

There are numerous reasons why the cost is high:

- Project Area density.
- Topography.
- Presence of Vera Cruz Jasper Quarries (PA.S.S #36-Lh-12PA), which is an identified archaeological resource. As such, the PA Historical & Museum Commission strongly suggests that the proposed infrastructure stay in previously disturbed areas (i.e. typically road right-of-ways). If not, archeological survey(s) of varying degrees would be required.

- Road restoration requirements. Approximately 90% of the gravity and force mains are located within the road right-of-way, with 56% of those in PennDOT right-of-way.
- Current construction market and unprecedented increases in material costs.

Alternate Sewer System: We are also in the process investigating the utilization of a low-pressure sewer system in lieu of a gravity system. We believe the use of a low-pressure system may somewhat reduce the overall project cost, by minimizing restoration and constructability issues. If we determine that a low-pressure system is the best option and the estimated costs are lower than a gravity system, we want the flexibility to move forward without revisiting the Act 537 Issue with DEP.

Private Plumbing Costs: Each property owner will also hire a contractor to physically connect their structure to the public lateral, modify interior plumbing as necessary and pump out and fill in the existing septic tank. These costs are estimated between \$3,000 and \$5,000 per property.

PROJECT FUNDING / COST RECOVERY / SURVEYS

Public facility project costs will be paid for with a combination of grant(s), municipal contributions, connection and/or assessment fees and financing. Exhibit "C" provides a financial summary.

Grant(s), Municipal Financial Contributions and Waivers:

At this time Upper Milford Township (UMiT) has secured an EPA grant in the net amount of \$960,000 for Township sewer projects, it is envisioned that approximately \$924,000 of this grant will be applied to the Vera Cruz Area Project, divided equally among the 261 properties that will be required to connect to the system. LCA will contribute \$310,000 to the project or \$1,000.00 per Edu, based upon an ultimate build-out of 310 Edus. LCA will also waive the standard UMiT fees on a per/Edu basis, an estimated value of \$664,700.

Up-front Project Tapping Fees

In order to make the project affordable, it is envisioned that up-front Tapping Fees for the public facility and allocation costs will be approximately \$4,000 per /Edu.

To simplify calculations at this time we have used the "Tapping Fee only" method where vacant properties will not pay anything until they are developed and connect to the system. However, we reserve the right, in lieu of the "Tapping Fee only" method, to utilize a combination of assessment and connection fees to recover a corresponding amount of the project costs from all properties within the Project Area.

Financing:

It is our intention to apply for PennVest financing for the remainder of public facility project costs, unless more favorable financing becomes available.

Other Sources of Funds

- UMiT has applied for a Federal Appropriation of \$1,000,000 dollars through Senator Santorum's office.
- Our request for Sewer Lateral / Tap-In Fee Assistance in the amount of \$200,000 has been included in Lehigh County's 2005 Community Development Block Grant (CDBG) application. The County's application has been submitted to the PA Department of Community and Economic Development for approval. If approved, funds will be available for disbursement on 12 January 2006. We plan to apply for additional funding in 2006.
- We will provide information to the residents and/or coordinate a meeting place where representatives from the United States Department of Agriculture (USDA) can discuss their individual grant and loan programs with the property owners.

Property Owner Surveys

After ACT 537 approval by DEP, we plan to do the applicable surveys necessary to determine the eligibility and/or terms for any grants and/or financing that may be available from PennVest and CDBG.

USER RATES

Based upon the aforementioned assumptions, it is estimated that properties within the Project Area that connect to the system will pay an annual user charge per Edu composed of two parts, the current Common UMiT rate plus a Vera Cruz Project charge.

TYPICAL PROPERTY OWNER COST SUMMARY (ONE EDU)

One-Time Out-of-Pocket Costs	Amount
Project Tapping Fee (Per/Edu)	\$ 4,000
Private Plumbing Costs (average)	4,000
Total Out-of-Pocket Costs	\$ 8,000

Annual On-going User Charges (Per/Edu)	Amount
UMiT Common Rate Charge	\$ 452
Vera Cruz Project Charge (1)	902
Total Annual User Charge	\$ 1,354
Total Monthly User Charge	\$ 113

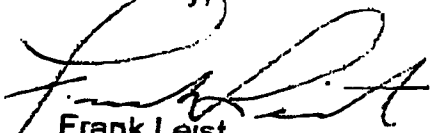
(1) Assumes 5% per annum, 20 years.

The Vera Cruz Project has been in the planning stages for many years, the need has been clearly identified and it is time to move forward. We request that you review the aforementioned information and be prepared to discuss any concerns that you may have at the meeting scheduled at the Upper Milford Township building, on Wednesday 18 May 2005 at ~~10:00 a.m.~~

2:00 PM

If you have any questions or require additional information, please call me at (610) 398-2503.

Sincerely,


Frank Leist
Capital Works Manager

enclosures

xc: Aurel Arndt, General Manager, LCA
Michael Brunamonti, PADEP
Upper Milford Township Board of Supervisors
Daniel DeLong, Township Manager, UMiT
Russell Benner, Schoor & DePalma
Karl Schreiter, SEA, Inc.

Vera Cruz Area Project
Conceptual Cost Estimate

Type: Gravity w/ Pumping Stations

Item	Description	Unit	Quantity	Unit Price	Extension
Construction					
1.	8" Gravity Main (assume average depth 8')				
2.	6" Gravity Lateral	L.F.	28,000	\$ 45	\$ 1,260,000
3.	8" x 8" Wyes	L.F.	5,000	45	225,000
4.	Manholes	EA.	282	150	42,300
5.	6" DIP Force Main (average depth 5')	L.F.	140	3,000	420,000
6.	Low-Pressure System (includes public laterals) (average depth 5')	L.F.	6,200	50	310,000
7.	Low-Pressure System Terminal & Clean-out Manholes	L.F.	500	45	22,500
8.	Low Pressure Grinder Pumps	EA.	3	1,500	4,500
		EA.	30 (1)	3,200	96,000
9.	2A Stone Backfill Gravity Main-PADOT	CY.	10,741	-	30
10.	2A Stone Backfill Gravity Main-Twp	CY.	7,150	-	30
11.	2A Stone Backfill Gravity Laterals-PADOT	CY.	1,630	-	30
12.	2A Stone Backfill Gravity Laterals-TWP	CY.	1,594	-	30
13.	2A Stone Backfill Force Main-PADOT	CY.	1,164	-	30
14.	2A Stone Backfill Force Main-TWP	CY.	1,343	-	30
15.	2A Stone Backfill LP Force Main-TWP	CY.	224	-	30
16.	Stream Crossings (4 sewer, 1 forcemain)	L.F.	5	7,500	37,500
17.	Railroad Boring Complete, 16" Casing	L.F.	75	400	30,000
18.	Pump Stations (w/standby power?)	L.F.	2	300,000	600,000
19.	Rock Excavation (10% of total excavation)	CY.	2,500	75	187,500
Restoration (2)					
20.	PADOT Type 61 Shoulder Complete (average width 4') Main	SY.	6,667	33	220,000
21.	PADOT Residual Pavement Restoration - Main	SY.	5,000	27	135,000
22.	PADOT Mill - Traffic Lane Adjacent to the Main	SY.	18,333	4	73,333
23.	PADOT Overlay - Traffic Lane Adjacent to the Main	SY.	18,333	7	121,000
24.	PADOT Pavement Trench Restoration - Laterals	SY.	643	45	28,951
25.	PADOT Mill - Lateral Area Opposite lane	SY.	2,913	9	26,220
26.	PADOT Overlay - Lateral Area - Opposite lane	SY.	2,913	10	29,133
27.	PADOT Pavement Trench Restoration - Force Main	SY.	1,278	45	57,417
28.	Rolled Curb	L.F.	5,500	9	46,750
29.	TWP Pavement Restoration - Mains	SY.	4,907	22	107,863
30.	TWP Pavement Restoration - Laterals	SY.	624	35	21,848
31.	TWP Pavement Restoration - Force Mains	SY.	1,448	25	36,192
33.	Misc Restoration	EA.	282	400	112,800
Conceptual Construction Costs					\$ 4,967,573
Contingencies					745,136
Total Conceptual Construction Costs					\$ 5,712,709
Engineering, Permitting, Legal, CM, Inspection, Project Administration					15.00% of Construction
Land Purchase for Pump Stations (2 Sites, .25 Ac. Ea.)					745,136
Easement Rights (20' wide permanent)					25,000
Total New Public Facility Cost					\$ 6,514,845
Allocation Costs for Full EDU Tapping Fee only Method of Cost Recovery (3)					EA, 310, 3,948 Per/EdU
TOTAL CONCEPTUAL PROJECT COST					\$ 7,738,725

(*) Reflects Pay with quantities. Unit prices adjusted to reflect actual quantities encountered in construction
 (1) Supplied by project to property owner for installation by property owner's plumber.
 (2) Assumes PADOT will not require flow-able fill or borings
 (3) WLI - \$792, Treatment- \$1,012, RT 29 Capacity- \$2,054, UMIT Connection- \$90

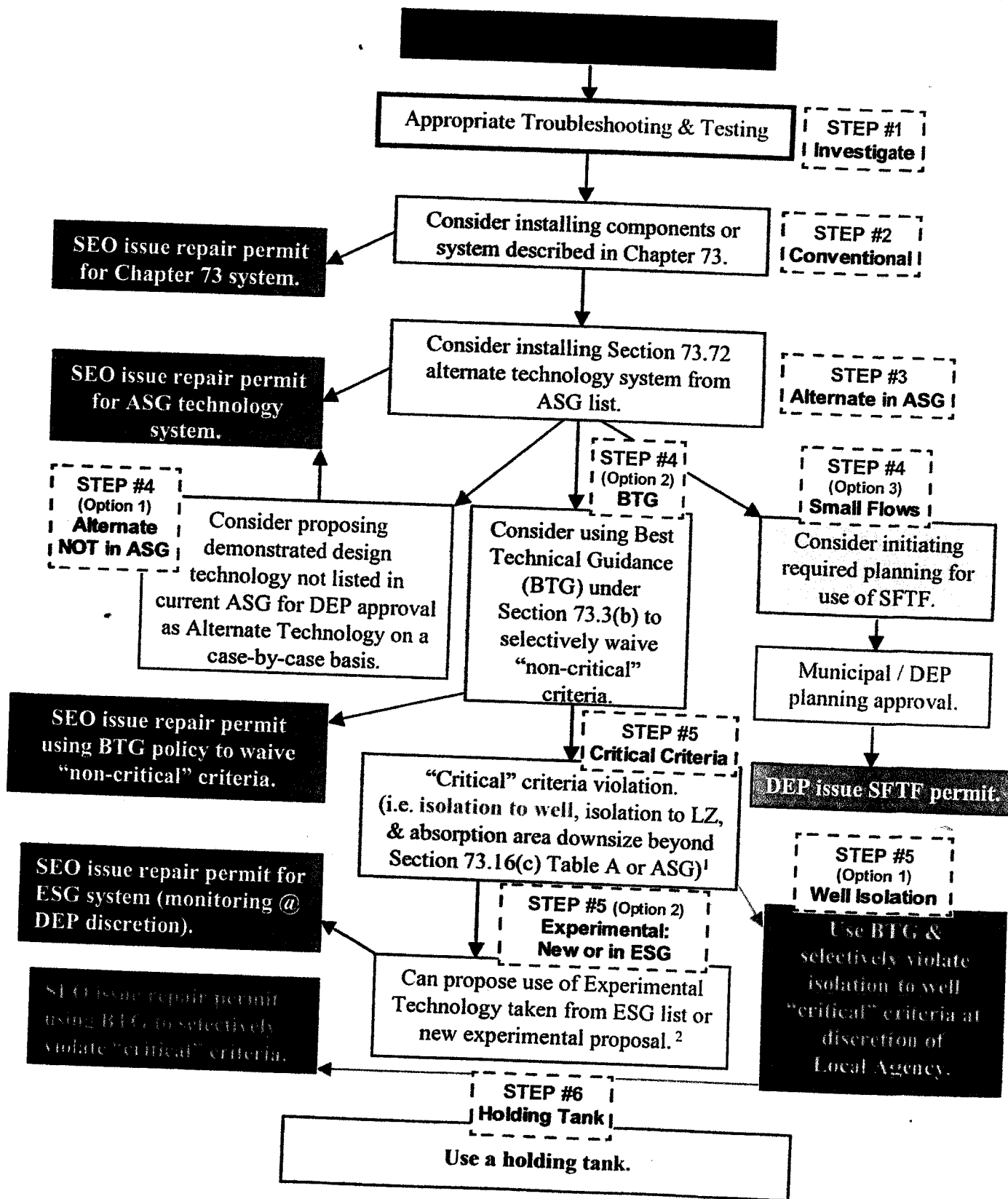
05-May-05

Vera Cruz Area Project
Financial Summary

Item	Amount
Conceptual Project Costs	
New Public Facility Cost	
Allocation Cost	\$ 6,515,000
Total Conceptual Project Cost (1)	\$ 7,740,000
Less Estimated Credits	
Vera Cruz Share of EPA Grant (2)	
LCA Reserves (3)	\$ (925,000)
LCA Waiver of standard UMiT Fees (4)	(310,000)
Up-front Tapping Fees (5)	(664,700)
Total Estimated Credits	(1,240,000)
	\$ (3,139,700)
Financing	
Amount apportioned to UMiT Common Rate Charge	\$ 1,240,000
Amount apportioned to Vera Cruz Project Charge	3,360,300
Total Financing	\$ 4,600,300
Yearly Debt Service, 20 years, @	
5% per-annum	
3.5% per-annum	\$ 369,140
	\$ 323,682

- (1) Does not include Private Plumbing Costs which are estimated to \$3,000 - \$5,000 / per property.
(2) \$3,540 / per property that must connect.
(3) \$1000 / per Edu. (310 ultimate Edus).
(4) \$2,144 / per-Edu, (310 ultimate Edus).
(5) \$4,000 / per Edu, (310 ultimate Edus)

TDM Flowchart with Steps



**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER QUALITY PROTECTION**

DOCUMENT NUMBER: 362-2206-007

TITLE: POLICY ESTABLISHING NEW PROGRAM DIRECTION FOR ACT 537
COMPREHENSIVE PLANNING

EFFECTIVE DATE: April 15, 1997

AUTHORITY: Act 537 of 1966, the Pennsylvania Sewage Facilities Act (as amended), 25 PA
Code Chapter 71

POLICY: DEP will help rural municipalities and their consultants find practical, affordable solutions to their existing and newly discovered sewage problems that will protect public health and the environment, and will assist them in finding the funding necessary to implement these solutions.

PURPOSE: Resolving the sewage needs of rural Pennsylvania municipalities may not be practical using conventional methods, due to low development density and lack of available funding. Without affordable, practical solutions to their sewage problems, these municipalities suffer public health and environmental conditions that place their residents at risk and limit opportunities for economic growth. Through this policy, DEP will:

- Develop information and resources to help rural municipalities and their consultants find practical, affordable solutions to existing problems that protect the public health and the environment;
- Help them plan for their future growth; and
- Assist them in finding available funding sources.

This policy document describes how the Department plans to achieve these objectives.

APPLICABILITY: This policy will be used by regional Act 537 program staff to assist rural municipalities in resolving their sewage treatment needs.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the Department to give these rules that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 3 pages.

LOCATION: Volume 34, Tab 14A

TECHNICAL GUIDANCE:

I. History of the Problem

A range of factors contribute to the difficulty in resolving the sewage problems of rural Pennsylvania. The primary factors include the following:

- A. **Magnitude of the problem:** Act 537, the Pennsylvania Sewage Facilities Act, has always placed the primary responsibility for permitting of on-lot sewage disposal systems and planning for new land development on local municipalities. In 1994, amendments to Act 537 were passed that increase the level of the municipality's responsibilities. Rural municipalities, however, have traditionally seen management of rural sewage disposal as DEP's job and have therefore limited their involvement with it. They often begin the sewage facilities planning process before they have a basic land use plan in place that would serve as a blueprint to guide their development. In these cases, the planning process is inverted, since municipal selection of sewage facilities alternatives, rather than the basic land use plan, drives proposed land uses. DEP has also been perceived as disregarding the sewage needs of rural areas, because their low population density and limited financial resources, combined with the scarcity of available grant funds, make conventional solutions to sewage problems extremely difficult to implement. Some rural municipalities' lack of basic planning and needs documentation requires them to do considerable catch-up work to be able to compete for scarce sewage facilities construction grants and loans. This can be a critical problem in low-income areas that could require up to 90% grants to afford a sewerage project using conventional methods.
- B. **Alternatives:** Many consultants are reluctant to propose innovative or low-tech, low-cost solutions to rural sewage problems due to the lack of reliable cost or performance data on these systems. This lack of reliable data has also resulted in lengthy delays or outright denials when consultants have proposed these new approaches to DEP. Consultants may also find it easier and more profitable to propose conventional technology.

Some rural municipalities see the Department as reluctant to allow them to use the sewage facilities planning process to accomplish the goals they want to achieve. The sewage facilities alternatives selected often appear to have been chosen by DEP and the consultant, not the municipality, when in fact DEP actively avoids taking over this municipal responsibility. Adding to the problem is that municipal officials often do not want the responsibility for decisions that will be considered unnecessary or expensive by their constituents. While DEP must be more flexible when evaluating low-cost yet effective solutions that meet the requirements of existing laws and regulations, municipalities must also be willing to assume responsibility to implement the selected alternatives.

- C. **Acceptance of realities:** Both municipalities and the Department must realize that it may be impossible for some rural municipalities to correct sewage problems using conventional collection, conveyance and treatment systems, due to low development densities and lack of available funding. The Department encourages municipalities to address management of both their existing and proposed new on-lot systems and their small flow systems as an alternative in their planning. Municipalities who are willing to assume more management responsibility could extend the life of their existing sewage facilities and be able to use noncentralized sewage alternatives which may be more affordable. Both DEP and municipalities must accept that phased implementation and long-term goal setting may be necessary to implement rural projects.

II. Policy

In accordance with this policy, DEP will provide outreach and assistance to local governments in the Act 537 comprehensive sewage facilities planning process. In its oversight role DEP will provide information

to rural municipalities that have sewage treatment needs. The Department will work with the municipalities' consultants to define the range of alternatives available and to use this information to solve their sewage problems. The Department will use cases that were successfully resolved through implementation of this policy as models in other, similar circumstances.

Key elements in the Department's effort will include:

- encouraging comprehensive, long-range municipal land use and sewage planning;
- assisting in identifying and developing alternative sewage collection, conveyance and treatment technology;
- assisting in identifying and developing noncentralized sewage treatment technologies;
- encouraging practical, affordable technology;
- accepting the possibility of long-term, phased solutions;
- streamlining planning and design requirements;
- expediting and minimizing the paperwork required for implementation;
- assisting in identifying available funding sources;
- assisting municipalities in maximizing their eligibility for funding;
- pursuing the creation of new funding options through PENNVEST to provide low-cost financing for small rural sewerage projects;
- developing information on sewage management programs and elements of sewage facilities planning; and
- developing case studies of rural municipalities that have successfully addressed their sewage needs.

26509

DATE: 8/25/05

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CITY <u>Emmatus Pa</u>	STATE <u>Pa</u>	ZIP <u>18049</u>
OWNER'S PHONE <u>610-965-6871</u>	BUSINESS PHONE	TENANT'S PHONE
TECHNICIAN NAME <u>mark</u>	TIME IN <u>11:20</u>	TIME OUT

METHOD OF PAYMENT

Visa MC Disc AmEx

Card # _____

Exp Date # _____

Authorization # _____

Check # _____

SERVICE CONTRACT #	<input type="checkbox"/> PLUMBING <input type="checkbox"/> HEATING <input type="checkbox"/> A.C.	UNIT	AMOUNT
SERVICE CALL (INCLUDES TRAVEL TIME) <input type="checkbox"/> REGULAR <input type="checkbox"/> OVERTIME <input type="checkbox"/> EMERGENCY <input type="checkbox"/> HOLIDAY			
DESCRIPTION OF WORK <u>525' Excavate septic Tank, crush and back fill hole with modified (3/4" stone). Excavate approx 525' from front of house to street. Trench to maintain pitch of 1/8" per foot and maintain open 3' minimum depth. install a Tee and clean out every 50' as per code. Back fill 4" pvc in screenings (1/8" to 1/4" stone) as per code. Connected to City supplied later. Back fill ditch to rough grade. Price includes new 4" pvc mouse trap and fresh air. Price includes all applicable permits.</u>			<u>31812.50</u>
Technician Notes: <u>7/25/05</u>			
		SUBTOTAL	
		ADDITIONAL WORK	
		BILLOUT CHARGE	
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		TOTAL DUE	

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Wastewater Technology Fact Sheet

Sewers, Pressure

DESCRIPTION

Conventional Wastewater Collection System

Conventional wastewater collection systems transport sewage from homes or other sources by gravity flow through buried piping systems to a central treatment facility. These systems are usually reliable and consume no power. However, the slope requirements to maintain adequate flow by gravity may require deep excavations in hilly or flat terrain, as well as the addition of sewage pump stations, which can significantly increase the cost of conventional collection systems. Manholes and other sewer appurtenances also add substantial costs to conventional collection systems.

Alternative

Alternative wastewater collection systems can be cost effective for homes in areas where traditional collection systems are too expensive to install and operate. Pressure sewers are used in sparsely populated or suburban areas in which conventional collection systems would be expensive. These systems generally use smaller diameter pipes with a slight slope or follow the surface contour of the land, reducing excavation and construction costs.

Pressure sewers differ from conventional gravity collection systems because they break down large solids in the pumping station before they are transported through the collection system. Their watertight design and the absence of manholes eliminates extraneous flows into the system. Thus, alternative sewer systems may be preferred in areas that have high groundwater that could seep into the sewer, increasing the amount of wastewater to be treated. They also protect groundwater sources by keeping wastewater in the sewer. The disadvantages of alternative sewage systems include increased energy demands, higher maintenance requirements, and

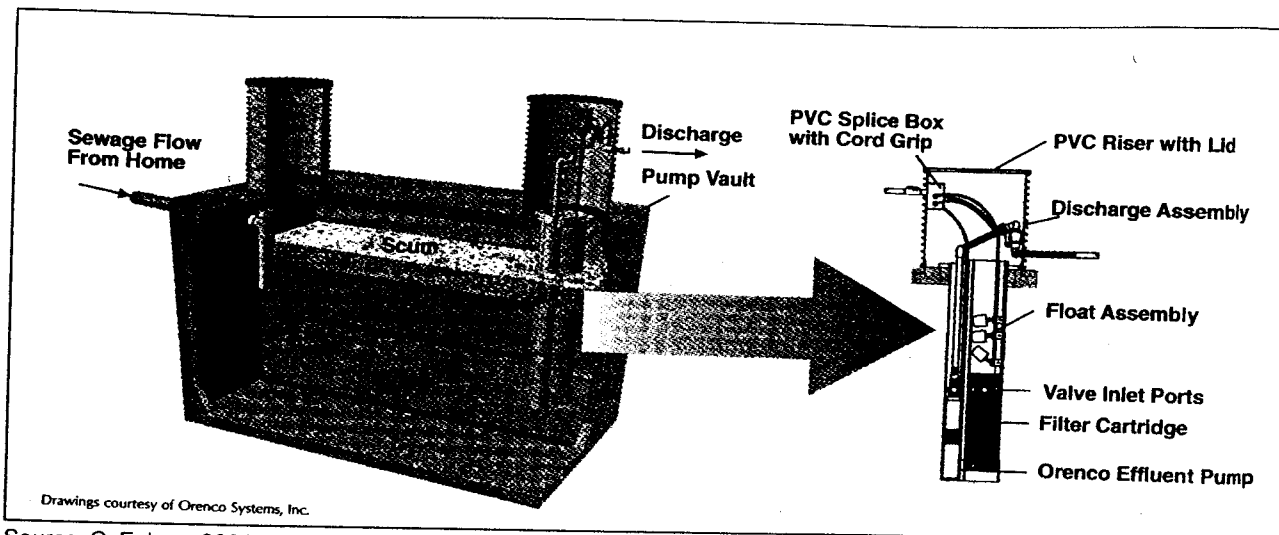
greater on-lot costs. In areas with varying terrain and population density, it may prove beneficial to install a combination of sewer types.

This fact sheet discusses a sewer system that uses pressure to deliver sewage to a treatment system. Systems that use vacuum to deliver sewage to a treatment system are discussed in the *Vacuum Sewers* Fact Sheet, while gravity flow sewers are discussed in the *Small Diameter Sewers* Fact Sheet.

Pressure Sewers

Pressure sewers are particularly adaptable for rural or semi-rural communities where public contact with effluent from failing drain fields presents a substantial health concern. Since the mains for pressure sewers are, by design, watertight, the pipe connections ensure minimal leakage of sewage. This can be an important consideration in areas subject to groundwater contamination. Two major types of pressure sewer systems are the **septic tank effluent pump (STEP)** system and the **grinder pump (GP)**. Neither requires any modification to plumbing inside the house.

In STEP systems, wastewater flows into a conventional septic tank to capture solids. The liquid effluent flows to a holding tank containing a pump and control devices. The effluent is then pumped and transferred for treatment. Retrofitting existing septic tanks in areas served by septic tank/drain field systems would seem to present an opportunity for cost savings, but a large number (often a majority) must be replaced or expanded over the life of the system because of insufficient capacity, deterioration of concrete tanks, or leaks. In a GP system, sewage flows to a vault where a grinder pump grinds the solids and discharges the sewage into a pressurized pipe system. GP systems do not require a septic tank but may require more horsepower than STEP systems because of the grinding action. A GP system can result in significant capital cost



Source: C. Falvey, 2001.

FIGURE 1 TYPICAL SEPTIC TANK EFFLUENT PUMP

savings for new areas that have no septic tanks or in older areas where many tanks must be replaced or repaired. Figure 1 shows a typical septic tank effluent pump, while Figure 2 shows a typical grinder pump used in residential wastewater treatment.

The choice between GP and STEP systems depends on three main factors, as described below:

Cost: On-lot facilities, including pumps and tanks, will account for more than 75 percent of total costs, and may run as high as 90 percent. Thus, there is a strong motivation to use a system with the least expensive on-lot facilities. STEP systems may lower on-lot costs because they allow some gravity service connections due to the continued use of a septic tank. In addition, a grinder pump must be more rugged than a STEP pump to handle the added task of grinding, and consequently, it is more expensive. If many septic tanks must be replaced, costs will be significantly higher for a STEP system than a GP system.

Downstream Treatment: GP systems produce a higher TSS that may not be acceptable at a downstream treatment facility.

Low Flow Conditions: STEP systems will better tolerate low flow conditions that occur in areas with highly fluctuating seasonal occupancy and those with slow build out from a small initial population to the

ultimate design population. Thus, STEP systems may be better choices in these areas than GP systems.

APPLICABILITY

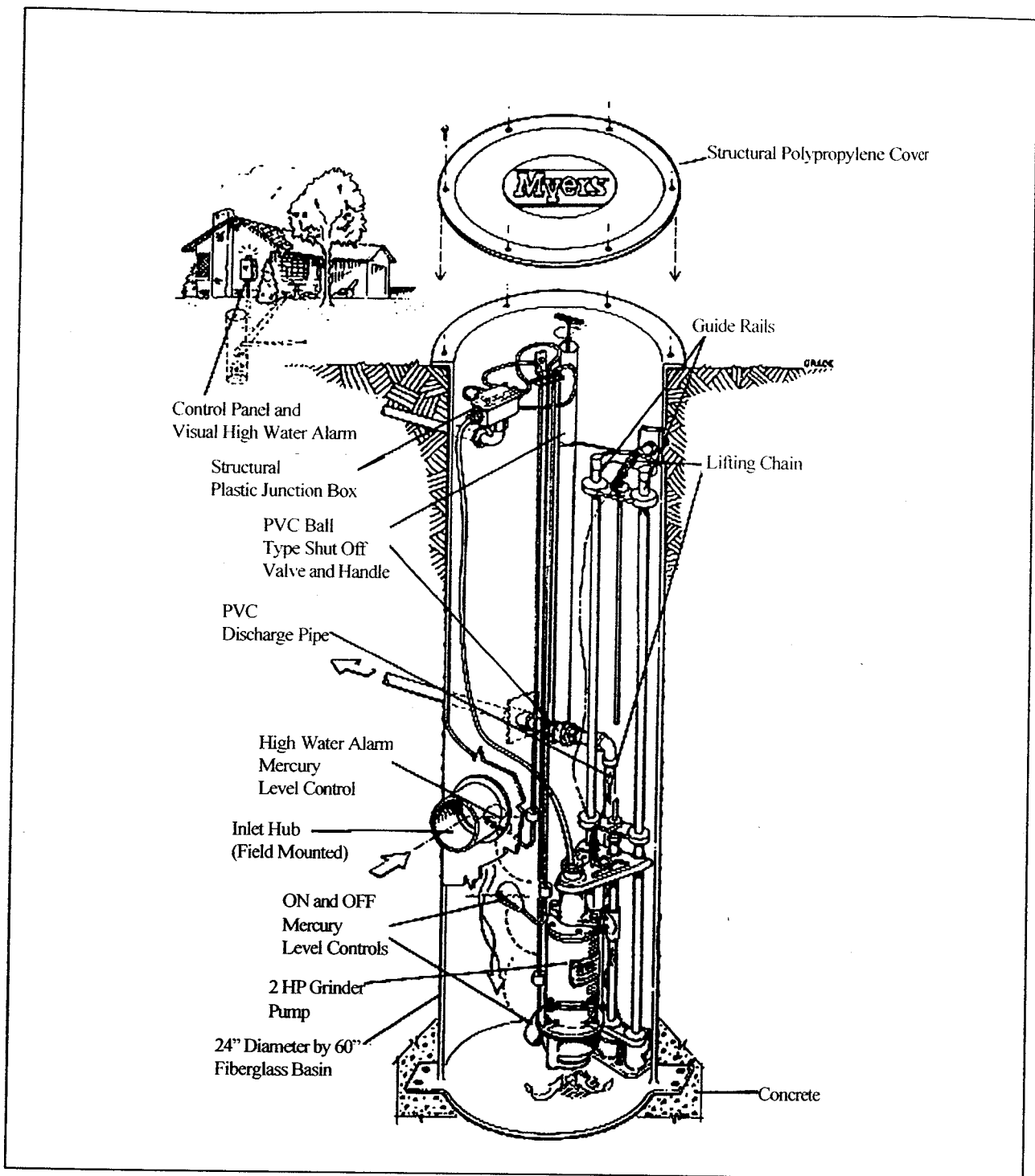
Pressure sewer systems are most cost effective where housing density is low, where the terrain has undulations with relatively high relief, and where the system outfall must be at the same or a higher elevation than most or all of the service area. They can also be effective where flat terrain is combined with high ground water or bedrock, making deep cuts and/or multiple lift stations excessively expensive. They can be cost effective even in densely populated areas where difficult construction or right of way conditions exist, or where the terrain will not accommodate gravity sewers.

Since pressure systems do not have the large excess capacity typical of conventional gravity sewers, they must be designed with a balanced approach, keeping future growth and internal hydraulic performance in mind.

ADVANTAGES AND DISADVANTAGES

Advantages

Pressure sewer systems that connect several residences to a "cluster" pump station can be less expensive than



Source: F.E. Meyers Company, 2000.

FIGURE 2 TYPICAL GRINDER PUMP

conventional gravity systems. On-property facilities represent a major portion of the capital cost of the entire system and are shared in a cluster arrangement. This can be an economic advantage since on-property components are not required until a house is

constructed and are borne by the homeowner. Low front-end investment makes the present-value cost of the entire system lower than that of conventional gravity sewerage, especially in new development areas where homes are built over many years.

Because wastewater is pumped under pressure, gravity flow is not necessary and the strict alignment and slope restrictions for conventional gravity sewers can be relaxed. Network layout does not depend on ground contours: pipes can be laid in any location and extensions can be made in the street right-of-way at a relatively small cost without damage to existing structures.

Other advantages of pressure sewers include:

Material and trenching costs are significantly lower because pipe size and depth requirements are reduced.

Low-cost clean outs and valve assemblies are used rather than manholes and may be spaced further apart than manholes in a conventional system.

Infiltration is reduced, resulting in reductions in pipe size.

The user pays for the electricity to operate the pump unit. The resulting increase in electric bills is small and may replace municipality or community bills for central pumping eliminated by the pressure system.

Final treatment may be substantially reduced in hydraulic and organic loading in STEP systems. Hydraulic loadings are also reduced for GP systems.

Because sewage is transported under pressure, more flexibility is allowed in siting final treatment facilities and may help reduce the length of outfall lines or treatment plant construction costs.

Disadvantages

Requires much institutional involvement because the pressure system has many mechanical components throughout the service area.

The operation and maintenance (O&M) cost for a pressure system is often higher than a conventional gravity system due to the high number of pumps in use. However, lift stations in a conventional gravity sewer can reverse this situation.

Annual preventive maintenance calls are usually scheduled for GP components of pressure sewers. STEP systems also require pump-out of septic tanks at two to three year intervals.

Public education is necessary so the user knows how to deal with emergencies and how to avoid blockages or other maintenance problems.

The number of pumps that can share the same downstream force main is limited.

Power outages can result in overflows if standby generators are not available.

Life cycle replacement costs are expected to be higher because pressure sewers have a lower life expectancy than conventional systems.

Odors and corrosion are potential problems because the wastewater in the collection sewers is usually septic. Proper ventilation and odor control must be provided in the design and non-corrosive components should be used. Air release valves are often vented to soil beds to minimize odor problems and special discharge and treatment designs are required to avoid terminal discharge problems.

DESIGN CRITERIA

Many different design flows can be used in pressure systems. When positive displacement GP units are used, the design flow is obtained by multiplying the pump discharge by the maximum number of pumps expected to be operating simultaneously. When centrifugal pumps are used, the equation used is $Q = 20 + 0.5D$, where Q is the flow in gpm and D is the number of homes served. The operation of the system under various assumed conditions should be simulated

by computer to check design adequacy. No allowances for infiltration and inflow are required. No minimum velocity is generally used in design, but GP systems must attain three to five feet per second at least once per day. A Hazen-Williams coefficient, (C) = 130 to 140, is suggested for hydraulic analysis. Pressure mains generally use 50 mm (2 inch) or larger PVC pipe (SDR 21) and rubber-ring joints or solvent welding to assemble the pipe joints. High-density polyethylene (HDPE) pipe with fused joints is widely used in Canada. Electrical requirements, especially for GP systems, may necessitate rewiring and electrical service upgrading in the service area. Pipes are generally buried to at least the winter frost penetration depth; in far northern sites insulated and heat-traced pipes are generally buried at a minimal depth. GP and STEP pumps are sized to accommodate the hydraulic grade requirements of the system. Discharge points must use drop inlets to minimize odors and corrosion. Air release valves are placed at high points in the sewer and often are vented to soil beds. Both STEP and GP systems can be assumed to be anaerobic and potentially odorous if subjected to turbulence (stripping of gases such as H₂S).

PERFORMANCE

STEP

When properly installed, septic tanks typically remove about 50 percent of BOD, 75 percent of suspended solids, virtually all grit, and about 90 percent of grease, reducing the likelihood of clogging. Also, wastewater reaching the treatment plant will be weaker than raw sewage. Typical average values of BOD and TSS are 110 mg/L and 50 mg/L, respectively. On the other hand, septic tank effluent has virtually zero dissolved oxygen.

Primary sedimentation is not required to treat septic tank effluent. The effluent responds well to aerobic treatment, but odor control at the headworks of the treatment plant should receive extra attention.

The small community of High Island, Texas, was concerned that septic tank failures were damaging a local area frequented by migratory birds. Funds and materials were secured from the EPA, several state

agencies, and the Audubon Society to replace the undersized septic tanks with larger ones equipped with STEP units and low pressure sewerage ultimately discharging to a constructed wetland. This system is expected to achieve an effluent quality of less than 20 mg/L each of BOD and TSS, less than 8 mg/L ammonia, and greater than 4 mg/L dissolved oxygen (Jensen 1999).

In 1996, the village of Browns, Illinois, replaced a failing septic tank system with a STEP system discharging to low pressure sewers and ultimately to a recirculating gravel filter. Cost was a major concern to the residents of the village, who were used to average monthly sewer bills of \$20. Conditions in the village were poor for conventional sewer systems, making them prohibitively expensive. An alternative low pressure-STEP system averaged only \$19.38 per month per resident, and eliminated the public health hazard caused by the failed septic tanks (ICAA, 2000).

GP Treatment

The wastewater reaching the treatment plant will typically be stronger than that from conventional systems because infiltration is not possible. Typical design average concentrations of both BOD and TSS are 350 mg/L (WPCF, 1986).

GP/low pressure sewer systems have replaced failing septic tanks in Lake Worth, Texas (Head, et. al., 2000); Beach Drive in Kitsap County, Washington (Mayhew and Fitzwater, 1999); and Cuyler, New York (Earle, 1998). Each of these communities chose alternative systems over conventional systems based on lower costs and better suitability to local soil conditions.

OPERATION AND MAINTENANCE

Routine operation and maintenance requirements for both STEP and GP systems are minimal. Small systems that serve 300 or fewer homes do not usually require a full-time staff. Service can be performed by personnel from the municipal public works or highway department. Most system maintenance activities involve responding to homeowner service calls usually for electrical control problems or pump blockages. STEP systems also require pumping every two to three years.

TABLE 1 RELATIVE CHARACTERISTICS OF ALTERNATIVE SEWERS

Sewer Type	Slope Requirement	Construction Cost in Rocky, High Groundwater Sites	Operation and Maintenance Requirements	Ideal Power Requirements
Conventional	Downhill	High	Moderate	None*
Pressure				
STEP	None	Low	Moderate-high	Low
GP	None	Low	Moderate-high	Moderate

* Power may be required for lift stations
 Source: Small Flows Clearinghouse, 1992.

The inherent septic nature of wastewater in pressure sewers requires that system personnel take appropriate safety precautions when performing maintenance to minimize exposure to toxic gases, such as hydrogen sulfide, which may be present in the sewer lines, pump vaults, or septic tanks. Odor problems may develop in pressure sewer systems because of improper house venting. The addition of strong oxidizing agents, such as chlorine or hydrogen peroxide, may be necessary to control odor where venting is not the cause of the problem.

Generally, it is in the best interest of the municipality and the homeowners to have the municipality or sewer utility be responsible for maintaining all system components. General easement agreements are needed to permit access to on-site components, such as septic tanks, STEP units, or GP units on private property.

COSTS

Pressure sewers are generally more cost-effective than conventional gravity sewers in rural areas because capital costs for pressure sewers are generally lower than for gravity sewers. While capital cost savings of 90 percent have been achieved, no universal statement of savings is possible because each site and system is unique. Table 1 presents a generic comparison of common characteristics of sanitary sewer systems that should be considered in the initial decision-making process on whether to use pressure sewer systems or conventional gravity sewer systems.

Table 2 presents data from recent evaluations of the costs of pressure sewer mains and appurtenances (essentially the same for GP and STEP), including items specific to each type of pressure sewer. Purchasing pumping stations in volume may reduce costs by up to 50 percent. The linear cost of mains can vary by a factor of two to three, depending on the type of trenching equipment and local costs of high-quality backfill and pipe. The local geology and utility systems will impact the installation cost of either system.

The homeowner is responsible for energy costs, which will vary from \$1.00 to \$2.50/month for GP systems, depending on the horsepower of the unit. STEP units generally cost less than \$1.00/month.

Preventive maintenance should be performed annually for each unit, with monthly maintenance of other mechanical components. STEP systems require periodic pumping of septic tanks. Total O&M costs average \$100-200 per year per unit, and include costs for troubleshooting, inspection of new installations, and responding to problems.

Mean time between service calls (MTBSC) data vary greatly, but values of 4 to 10 years for both GP and STEP units are reasonable estimates for quality installations.

TABLE 2 AVERAGE INSTALLED UNIT COSTS FOR PRESSURE SEWER MAINS & APPURTENANCES

Item	Unit Cost (\$)
2 inch mains	9.40/LF
3 inch mains	10.00/LF
4 inch mains	11.30/LF
6 inch mains	15.80/LF
8 inch mains	17.60/LF
Extra for mains in asphalt concrete pavement	6.30/LF
2 inch isolation valves	315/each
3 inch isolation valves	345/each
4 inch isolation valves	440/each
6 inch isolation valves	500/each
8 inch isolation valves	720/each
Individual Grinder pump	1,505/each
Single (simplex) package pump system	5,140/each
package installation	625 - 1,880/each
Automatic air release stations	1,255/each

Source: U.S. EPA, 1991.

REFERENCES

Other Related Fact Sheets

Other EPA Fact Sheets can be found at the following web address:

<http://www.epa.gov/owm/mtb/mtbfact.htm>

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2222 15th Street
Rockford, IL 61104

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Carroll and Blackman, Inc.
1360 Seventh Street
Beaumont, TX 77702

John Acree
Lamac Engineering Company
P.O.Box 160
Mt. Carmel, IL 62863

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P.O. Box 1090
Springfield, IL 62705

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7524 Mosier View Court Suite 200
Fort Worth, TX 76118
Chuck Mayhew

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530 S 336th Street
Federal Way, WA 98003

Richard Fitzwater
Kitsap County Sewer District #5
614 Division Street MS 27
Port Orchard, WA 98366

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ADDITIONAL INFORMATION

Environment One Corporation
2773 Balltown Road
Niskayuna, NY 12309-1090

F.E. Meyers
1101 Myers Parkway
Ashland, OH 44805

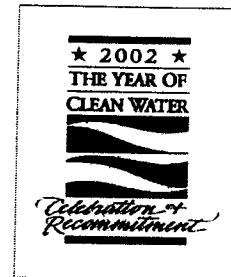
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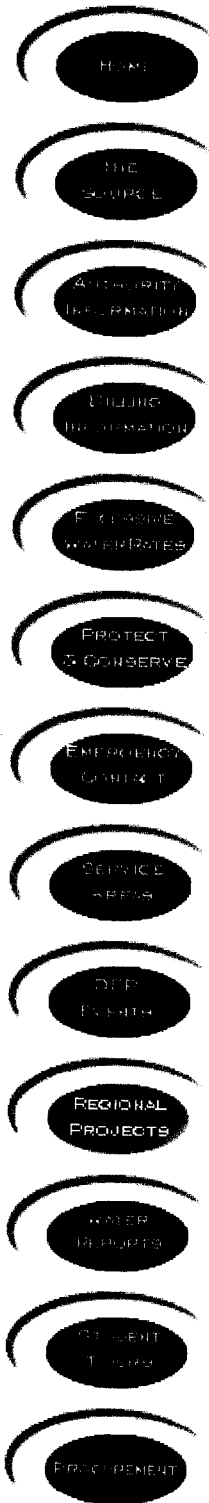
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ICC Building
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Wiltshire/Pebble Hill III Public Sewage Project

Doylestown Township approached the Bucks County Water and Sewer Authority several years ago about the possibility of bringing public sewer service to the Pebble Hill and Wiltshire subdivisions. Since that time, we have met frequently with Doylestown Township officials and professional consultants, as well as with interested residents in the area to discuss this service.

The Authority is obligated to provide public water and sewer service to municipalities and parts of municipalities throughout the County, but only when it is invited to do so. Currently, we have been invited by the Township to develop proposals regarding how public sewer can be provided.

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Frequently Asked Questions

▼ Public Sanitary Sewer Collection System

- What are the benefits of a public sanitary sewer collection system?
- What is the difference between a low-pressure sewage system and a gravity sewage system?
- Why was it decided to make Pebble Hill a low-pressure system and who made that decision?
- Is there a large difference in cost between low-pressure vs. gravity?
- What is the total estimated cost for the project?

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▼ Assessment Structure/Individual Homeowner Cost

- How will each individual home be assessed?
- Who makes the determination on the how homes will be assessed?
- How much will it cost each individual household to hook up to the system?
- How is that cost determined?
- Is there financing available?
- How can I receive money from the Township grant?

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[Click here to email customer service for any question or problem.](#)

▼ Mandatory vs. Non-Mandatory Hook-Up

- **What is the difference between mandatory and non-mandatory hook-up?**
- **Who will make the decision regarding mandatory vs. non-mandatory?**
- **Can I immediately hook up to the system if I want to?**

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▼ Capacity

- **Does the Bucks County Water and Sewer Authority have the capacity for these new hook-ups?**
- **Why is this project under consideration now if the Authority cannot guarantee immediate capacity?**

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▼ Construction

- **How long will the construction of the low-pressure sewer system take?**
- **When will construction begin?**
- **Will the construction be primarily in the streets?**
- **Once the construction is completed will there be any further charges?**
- **What will be the approximate quarterly sewer bill and loan repayment?**

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▼ Grinder Pump

- **When will the determination be made regarding which grinder pump will need to be used in the new sewage system? Will it go through a bid process?**
- **How will you decide which grinder pump to choose? Can we get information on its past track record, etc.?**
- **How much maintenance will be required by the homeowner to care for the grinder pump? How often do they typically need to be replaced?**
- **What is the average monthly cost for the electricity to run the grinder pump?**
- **If I want to locate my pump in the front of my house, instead of near the existing location of my tank in the back - can I do that?**

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▼ For More Information

- **Where can I call for more information?**

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Public Sanitary Sewer Collection System

What are the benefits of a public sanitary sewer collection system?

The benefits of a public sewer system include:

- Protection of area well water quality.
- Reduction of the potential public nuisance and health hazards associated with on-lot system failures.
- Elimination of the possible need for future alteration or replacement of an on-site system.

What is the difference between a low-pressure sewage system and a gravity sewage system?

A low pressure sewer system involves the installation of a grinder pump on each lot, which reduces the waste stream to a slurry and pumps it into the collection system under pressure. The collection system is a network of small diameter PVC piping, typically installed in the road right-of-way off the pavement, which carries the slurry under pressure to the existing sewerage facilities for disposal.

A gravity sewer system starts with a building sewer from the home, which conveys the wastewater by gravity to the collection system in the road right-of-way. Usually installed in the paved roadway, the gravity sewer collection system is a series of larger PVC pipe (8" diameter or greater) and manholes which, as with the low pressure sewer, connects to the existing sewerage facilities for disposal.

Why was it decided to make Pebble Hill a low-pressure system and who made that decision?

Doylestown Township decided to make Pebble Hill a low-pressure system to reduce the cost of providing public sewers to the residents.

Is there a large difference in cost between low-pressure vs. gravity?

Based on the preliminary design for both alternatives, the opinion of probable cost for the gravity sewer system is approximately 20% greater than that of the low-pressure system.

What is the total estimated cost for the project?

The opinion of probable total project cost for the low-pressure system is approximately \$876,000.00.

▲ [Return to Top](#)

Assessment Structure/Individual Homeowner Cost

How will each individual home be assessed?

The determination of how to assess homes is under the sole discretion of the Township Supervisors. Currently, it appears as though homes will be assessed on a "front footage" basis.

Who makes the determination on the how homes will be assessed?

The determination of how to assess homes is under the sole discretion of the

Township Supervisors. They will instruct the Authority on how we should proceed.

How much will it cost each individual household to hook up to the system?

It is estimated that the average cost for a typical household to hook-up to the public sanitary system in Pebble Hill III would be approximately \$13,850; residents in the Wilkshire community, based on the relative lot sizes and eligibility for community grant money, would have an average cost of approximately \$9,550.

How is that cost determined?

The total estimated cost includes a number of variables:

For Pebble Hill III:

\$6,000 represents the average assessment for an individual home based on a typical front footage in that area

\$4,250 represents the cost for an individual grinder pump system and discharge piping, as well as a back up connection to the septic tank

\$3,600 represents the connection fee for capacity at the treatment plant

\$13,850 total estimated cost for an average home in Pebble Hill III

For Wilkshire:

\$1,700 represents the average assessment for an individual home based on typical front footage in that area, less the amount provided by community grant

\$4,250 represents the cost for an individual grinder pump system and discharge piping, as well as a backup connection to the septic tank

\$3,600 represents the connection fee for capacity at the treatment plant

\$9,550 total estimated cost for an average home in Wilkshire

Is there financing available?

Yes, the Bucks County Water and Sewer Authority will provide low-interest 20-year loans at a 6% rate to assist residents in the cost of hooking-up to the system.

How can I receive money from the Township grant?

The community grant money will be applied by the Township to the cost of the public construction for the project, which in turn will result in a reduction in the assessment to the property owners in Wilkshire. Individual property owners will not need to apply for grant money.

 [Return to Top](#)

Mandatory vs. Non-Mandatory Hook-Up

What is the difference between mandatory and non-mandatory hook-up?

A mandatory hook-up would require that everyone connect to the sanitary system.

Non-mandatory would mean that only those with an immediate need, such as a failing septic system, and others who would like the benefits of a public sanitary system would hook-up.

Who will make the decision regarding mandatory vs. non-mandatory?

The Township Board of Supervisors will decide this issue.

Can I immediately hook up to the system if I want to?

Connection will depend upon several Township decisions. At this point, we anticipate new connections for 2003.

 [Return to Top](#)

Capacity

Does the Bucks County Water and Sewer Authority have the capacity for these new hook-ups?

Capacity is anticipated to be available by 2003 unless the Department of Environmental Protection and the Health Department condemn a portion or all of the existing on-site private septic systems in this development. If the systems are condemned by DEP, customers would then be permitted to connect immediately.

Why is this project under consideration now if the Authority cannot guarantee immediate capacity?

As many residents are aware, this area has a very high septic failure rate, and therefore the Township considers this a high priority. However, the Authority must go through a process of approvals and expansions before being able to offer the capacity needed by this area. We are working diligently with the Township, the Borough, DEP and other officials to ensure capacity.

 [Return to Top](#)

Construction

How long will the construction of the low-pressure sewer system take?

Construction of the public portion of the low-pressure sewer system, representing the collection system in the road right-of-way and laterals to the property lines, is estimated to take approximately 4 to 5 months from award of contract.

When will construction begin?

Once the Township adopts a resolution to proceed with the project, construction will begin following completion of final design, review, approval and issuance of permits by State and Local regulatory agencies; and public bidding and award of the contract. We anticipate construction to begin late spring/early summer 2001.

Will the construction be primarily in the streets?

Generally, the force main piping will be installed off the paved roadway, behind the curb and/or edge of pavement. However, some construction will be required in the paved roadway at intersections and for installation of laterals.

Once the construction is completed will there be any further charges?

Following completion of construction, no further charges are anticipated for public construction. It should be noted, however, that prior to receiving service, the homeowner will be responsible for installation of the grinder pump system and connection to the public sewer system, as well as payment of the Authority's tapping fee.

What will be the approximate quarterly sewer bill and loan repayment?

The quarterly sewer bill is currently \$110 per quarter. The approximate loan repayment will be \$599.18 semi-annually for Pebble Hill III residents (based on an average assessment of \$13,850) and \$413.15 semi-annually for Wilkshire residents (based upon an average assessment of \$9550). However, your actual semi-annual loan payment will vary based upon your ACTUAL assessment.

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Grinder Pump

When will the determination be made regarding which grinder pump will need to be used in the new sewage system? Will it go through a bid process?

Alternative grinder pumps and equipment will be evaluated during the system design process, and the results of that evaluation will be reflected in the bid specifications which will be prepared for the project. Acceptance of the winning bid based on those specifications will constitute the final pump equipment selection.

How will you decide which grinder pump to choose? Can we get information on its past track record, etc.?

Various manufacturers' grinder pumps and equipment will be evaluated based on performance, reliability, and cost, all relative to this specific project. Following determination of the pump equipment to be provided, information regarding that equipment will be made available to those interested.

How much maintenance will be required by the homeowner to care for the grinder pump? How often do they typically need to be replaced?

Grinder pumps require very little in the way of routine maintenance, with the homeowner's primary responsibility being simply to avoid introducing foreign objects into the system that might affect the normal operation of the unit. With regard to life expectancy, although there are a number of variables including service conditions and frequency of use, grinder pump manufacturers typically report an average time between service calls of 5 to 10 years.

What is the average monthly cost for the electricity to run the grinder pump?

Depending on the exact type of pump equipment and amount of use, as well as cost of electricity per kilowatt hour, the monthly cost to run the grinder pump is typically less than fifty cents.

If I want to locate my pump in the front of my house, instead of near the existing location of my tank in the back - can I do that?

The precise location of the grinder pump unit on the property is at the discretion of the homeowner in conjunction with the contractor.

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For More Information

Where can I call for more information?

Please call the Bucks County Water and Sewer Authority at 215-343-2538, extension 112 for additional information.

 [Return to Top](#)



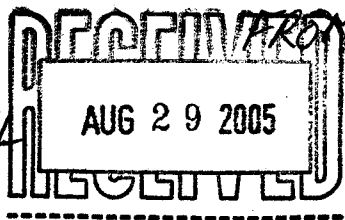
This Web Page is designed to be viewed using Microsoft Internet Explorer 4.x with your display set to 1024 x 768 resolution with "Real Colors" or higher enabled.

*[Click here for Questions or Comments on the design of this WebSite.](#)
© Bucks County Water & Sewer Authority*

#21

CC: BOS B. Miller
D. DeLong

TO: SUPERVISORS: SMITH
MOHR
KRADJE



FROM: HOWARD K. KRAUSE
4350 MILL Rd.
EMMAUS, PA.

AFTER ATTENDING THE AUG. 17 MEETING AT THE FIRE CO. SOCIAL HALL, I REALIZED THERE ARE MANY FLAWS IN THIS PLAN.

UPON SPEAKING WITH BOTH MR. DAN DELONG AND MR. BRIAN MILLER, I WAS TOLD TO WRITE THIS LETTER TO THE 3 OF YOU.

* I AM ASKING THAT MY PROPERTY, 4350 MILL Rd. BE REMOVED FROM THE PLAN.

failing septic systems in the Vera Cruz area. Nearly 85% of 284 the homes in the project area were determined to have confirmed, suspected or potential malfunctioning septic systems, according to an analysis based on Pennsylvania Department of Environmental Protection (DEP) criteria.

← 15% OR ABOUT 40 HOMES WITH NO PROBLEMS!

HERE ARE MY REASONS:

1. AFTER NEARLY 20 YEARS OF RESIDENCY - NO PROBLEMS.
2. HOUSE IS 350 FEET FROM ROADWAY.
3. 2.42 ACRES, SUITABLE SOILS FOR ON-SITE DRAINFIELDS.
4. ONLY 25 FEET OF ROAD FRONTAGE WITH 10 FT. MACADAM
- * 5. LAST PROPERTY ON MILL Rd. IN THE PLAN. (BRIAN MILLER STATED TO ME IT SHOULD NOT HAVE ADDED, BUT WAS PERHAPS BY L.C.A. TO RAISE THE NUMBERS.)
6. WASTE OF TAX DOLLARS (GRANTS) UN-NECESSARY.
7. FINANCIAL HARDSHIP.

* PLEASE FEEL FREE TO REVIEW THIS INFORMATION WITH MR. MILLER AND MR. DELONG AND MAKE THE PROPER DECISION AS ELECTED REPRESENTATIVES.

THANK YOU FOR YOUR TIME: SINCERELY,

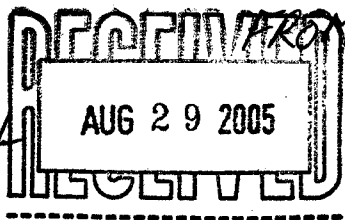
HOWARD K. KRAUSE
4350 MILL Rd.
EMMAUS, PA.

HOME PHONE (610) 965-2304

#21

CC: BOS B. Miller
D. DeLong

TO: SUPERVISORS: SMITH
MOHR
KRADJEL



FROM: HOWARD K. KRAUSE
4350 MILL Rd.
EMMAUS, PA.

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THANK YOU FOR YOUR TIME: SINCERELY,

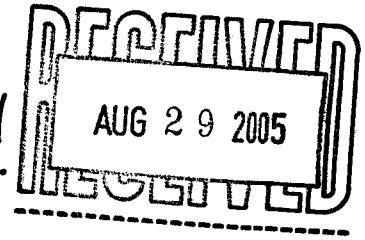
HOWARD K. KRAUSE
4350 MILL Rd.
EMMAUS, PA.

HOME PHONE (610) 965-2304

Thomas E. Carl
Christine D. Carl
4264 Mill Road
Emmaus, PA 18049

#22

cc: BOS
D. DeLong
B. Miller



August 29 2005

Supervisors of Upper Milford Township:

The purpose of this letter is to state our objection to, and to question the validity of forcing the properties with properly functioning on-site sewage disposal systems within a pre-defined zone, to connect to the proposed municipal sewage disposal system.

It is our position the cost for the engineering and construction of the municipal system infrastructure, should be shared equally among all property owners within the township, or by those with failing on site systems but not an arbitrary group close to areas / properties with failing systems. Establishing the infrastructure should be that of the township as an entity (with taxes generated fairly from conducted property assessments based on a consistent percentage of property value) and further fees from only properties without properly functioning on site systems.

Short- sighted, mismanagement of this issue in the past is not an acceptable justification for hasty implementation of an unjust plan now that the situation has become critical. Statements that, "values of properties connected to a municipal system will increase" is ludicrous. It is unlikely that the value of the properties will increase sufficiently even to cover the cost of construction and connection to such a system. If this is true, the property owner is paying for any increase in property, value. In addition, while this debate continues it is probable that the situation is reducing the value of such properties. A prospective buyer would be less willing to pay fair market value for a property with a functioning on-site system, if within a short period of time, a considerable capital outlay would be required to tie into the municipal system.

In addition, the exclusion from the mandated to tie-in for properties where the residence is located 150 feet or more from the street is unfair as well. It should be the property owner's choice to connect to the municipal system as long as their on-site system continues to function properly.

We trust that these concerns will be justly considered as discussions on this matter progress.

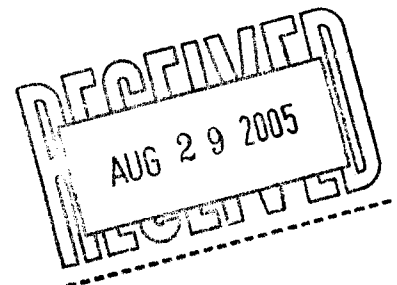
Sincerely,

A handwritten signature in black ink that reads "Thomas E. Carl". The signature is written in a cursive style.

Thomas E. Carl

A handwritten signature in black ink that reads "Christine D. Carl". The signature is written in a cursive style.

Christine D. Carl



#23

Kim Shaak

From: Renee Grow [livgro3@yahoo.com]
Sent: Monday, August 29, 2005 11:46 AM
To: General Information
Subject: Question/Concern sewer

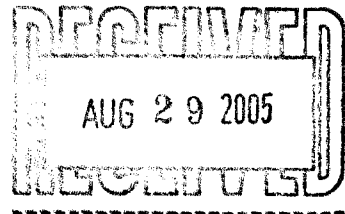
CC: BOS
D. DeLong
B.M. Miller

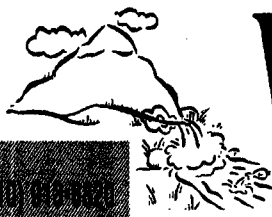
Dear, the Board Of Supervisors

My first question is regarding the lateral hook ups from the sewer line to individual houses; you have three homes across the stream who will have to get through the stream... Since DEP is concerned for the welfare of the stream are you guys going to have the citizens digging up the stream for the hook up or what is your proposal? Also are the pump houses definitely underground with some pipes showing or are they a structure? Finally how did you come up with the individual private plumbing fees from 3,000-5,000? Thank you for your time.

Renee and Larry Grow
4521 Vera Cruz Rd
Emmaus, PA 18049
livgro3@yahoo.com
610-965-2630

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**WHITTEMORE AND
WHIGH ENGINEERING, INC.**
200 BETHLEHEM DRIVE, SUITE 201
MORGANTOWN, PA 19543

#24

CC: D. DeLong
BOS
B. Miller

August 29, 2005

Board of Supervisors of Upper Milford Township
Attn: Secretary
Box 210
Old Zionsville, Pennsylvania 18068

RE: Act 537 Plan Update
Upper Milford Township
Additional Comments for the Record

Dear Township Secretary:

Whittemore and Haigh Engineering, Inc. (WHEI) represents Mr. and Mrs. George DeVault, 3502 Main Road East, Upper Milford Township and numerous other residents within the Township regarding engineer matters concerning the adoption of the Act 537 Plan Update.

WHEI wishes to make the following comments for the public record and requests a response to each and every comment.

1. Minutes of May 18, 2005 meeting indicate that the meeting was designed to address three specific concerns: 1) Is the Township in a position to submit a proposed Act 537 Plan to DEP that will be approved? 2) Is the proposed plan an affordable plan for the residents? 3) In coordinating this project with PennDOT, is PennDOT willing to compromise in order to help the Plan move forward? The Plan Revision has addressed financing but has never even attempted to determine if the Plan is affordable to the residents.
2. PADEP letter dated October 29, 2004, Section C. Description of/Evaluation of Alternatives, questioned the cost of the Vera Cruz Wastewater Treatment Plant, at \$2,300,000 seems high. This cost was never verified nor the capacity of the plant provided by Schreiber Engineering Associated (SEA). This changes the Alternative Analysis.
3. PADEP letter dated June 3, 2005 indicated that "the alternative for low-pressure sewer system should be included in the Plan Revision otherwise the Plan may need to be revised if the alternative were to change after the Plan was approved. This evaluation should include a present worth cost analysis of the gravity system versus the low-pressure alternative." Upper Milford Township "Summary of Required Tasks" meeting of June 9, 2005 tasked this item to Schoor DePalma, SEA and Lehigh County Authority (LCA). This alternative analysis was never completed and was not included as

(717) 948-1000
Fax
(717) 251-1000
Cell
(717) 948-1687

CIVIL

ENVIRONMENTAL

GEOTECHNICAL

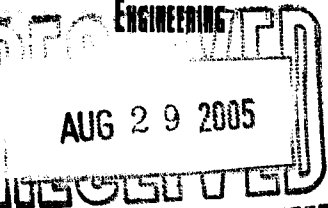
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STRUCTURAL

WATER
RESOURCE
MANAGEMENT

CONSULTING
&
ENGINEERING

AUG 29 2005





Alternative 13 in the Plan Revision or Public Notice. The Plan Revision is therefore incomplete and should not be approved.

4. Minutes of the May 18, 2005 meeting: Mr. Brunamonti, P.E., PADEP, indicated that the Department needed the Plan Revision to go to the Planning Commission. The Upper Milford Township Planning Commission provided a letter dated March 3, 2004. Based upon the official record, the Planning Commission has not seen the Act 537 Plan Revision and therefore can not evaluate its impacts upon both the Zoning or SALDO Ordinances which is the charter of the Planning Commission. The Planning Commission has not been afforded the opportunity to comment on the Plan Revision or on Alternative 13, low-pressure sewers.
5. PADEP letter dated June 3, 2005 indicated that "when submitting the final Plan, debt service should be calculated based upon the estimated interest rate and loan term provided to you by Pennvest." This was not done. The interest rate and loan terms were established by LCA with no mention of Pennvest.
6. Upper Milford Township letter dated July 15, 2005 required LCA to "complete the financial analysis requirements of the PADEP letter (June 3, 2005)." This has not been done.
7. PADEP letter dated June 3, 2005 last sentence, first paragraph page 2. "The Department would like the Plan to demonstrate the affordability of the proposed project in light of the above suggestions." There is no documented discussion or analysis on affordability. The LCA Conceptual Cost Estimate under estimates true project costs.
8. Upper Milford Township "Summary of Required Tasks" meeting of June 9, 2005, notes in the margin, indicate that Sue Rockwell, Lehigh County Planning Commission requested review of Act 537 Plan Revision. There is no documentation in the official file that Lehigh County Planning Commission has reviewed the Plan Revision after June 9, 2005. The Plan Revision is incomplete.
9. The LCA "Conceptual Cost Estimate" date March 22, 2005 was used as a basis for the financing package. The "Conceptual Cost Estimate" for Alternative 4 does not incorporate the comments of the PennDOT letter dated June 15, 2005. The "Conceptual Cost Estimate" has a contingency of 15%, which is low by industry cost estimating standards for "Conceptual Cost Estimates". The standard is 25%. One of the reasons put forward for public sewers is high water table in the area. The LCA cost estimate does not cost out dewatering operations for main sewer lines buried up to 8 feet below grade. This will be a major expense of a gravity collection system. The LCA cost estimate estimates 30 low-pressure grinder pumps. The SEA Plan Revision estimates 45 each, cost difference is \$48,000. The LCA cost estimate is \$7,738,725. The Plan Revision states the cost at \$7,245,060.



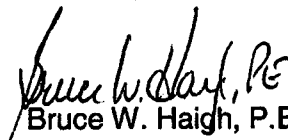
This is a difference of \$493,665. The LCA cost estimates fails to consider the approximately 50% increase (\$1.60/gallon to \$2.40/gallon) for diesel fuel since the Spring of 2005. There are numerous other inaccuracies between the LCA (3/22/05) costs and the Plan Revision costs. The LCA cost estimate is not adjusted for inflation to midpoint of construction, which according to the schedule on page 4-2 would be November 15, 2007. If costs escalate to the anticipated \$12,500,000 to \$13,000,00 range, then LCA will be forced to raise the UMiT common rate charge.

10. Both Mr. Mike Brunamonti, PADEP and Mr. Mike Gallagher of Pennvest suggested allocating costs to the entire existing system and new user base to minimize costs to the proposed users. This would allow the project to take a first step to affordability. The Township Supervisors by special meeting, dated July 13, 2005, rejected this recommendation.
11. For all the above stated reasons, as well as comments previously provided to the Township, this Plan Revision is a rush to judgment and has not been demonstrated as being affordable. At the August 17, 2005 public meeting, one reason for the rush was to maintain existing funding sources and secure new funding sources. Adrian Baker-Green of Senator Specter's office confirmed that there is no deadline for the appropriation and that the grant amount is \$970,000, which is already secured. Pennvest will not provide grants, only low interest loans. The chances of getting additional CBDG funds are remote. The proposed project is not affordable.

WHEI recommends that the Township reconsider the Act 537 Plan Revisions and not adopt the Plan Revision at this time. The new Plan Revision would focus on the Village of Vera Cruz (R-SR zoning district), low-pressure collection system to either a community on-lot, stream discharge or pumping to Allentown. Connection would only be mandatory for confirmed malfunctioning systems that require BTG or holding tanks. Financing should be through a millage rate increase and an increase in the UMiT common rate charge. Large lot landowners would be required to connect when their system becomes confirmed malfunctioning and can not be repaired without BTG.

WHEI thanks you in advance for your cooperation in this matter. I can be reached at my office at (610) 913-6820.

Sincerely,


Bruce W. Haigh, P.E.
President

Enclosures

cc: Enviro/DevaultAdditionalCommentsAct537082605.doc
G. DeVault

Whittemore and Haigh Engineering, Incorporated

200 Bethlehem Drive – Suite 201
Morgantown, PA 19543

Tel. (610) 913-6820 or
Tel. (610) 286-1622 ext. 110
Fax (610) 286-1679

Date: 8/29/05

To: Secretary

Company: Upper Merion Township

Fax No.: (610) 966-5184

From: Bruce W. Haigh, PE

Number of pages being transmitted (including this page): 4

Special Instructions/Comments:

Secretary

Written Comments Attached

Regards
Bruce

If there is an error in this transmission, please contact sender at (610) 913-6820

Hard copy to be mailed:

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CC: BOS
D. DeLong
B. Miller

Aug. 26, 2005

To Danny DeLong
Upper Milford Township manager
RE: Act 537

Dear Mr. DeLong,

This letter is being written as a followup to the public notice that was published in the Morning Call, and the subsequent Aug. 17 informational meeting.

I find the projected costs associated with the township sewer project -- specifically this first phase, the Vera Cruz sewer -- to be totally beyond reason. It will be such a burden as to most likely cause us to sell our farm which we have spend more than 20 years building and nurturing for the good of the community. It will also force many of our neighbors to either sell their homes, probably at a loss due to excessive cost projections of the sewer and its maintenance, or do without necessities of life. Many are making it from week to week on a fixed income, one neighbor has two children in college and two nearly there, and many of us have felt the economic bite via lost jobs. WE AND OUR NEIGHBORS HONESTLY AND SIMPLY CAN'T AFFORD THIS.

I find the projected costs to be very, very high. The hookup cost is higher than I have seen in other areas, as is the \$115 monthly maintenance fee. I understand \$80 is considered very high in other areas. The assessment structure is unfair. And we received a plumbing estimate (for lateral installation, etc.) yesterday of \$32,000 because we are more than 525 feet from the proposed line. Should they encounter rock or high water, the fee would be considerably higher, we were told. Should we need a grinder pump, the fee would be another \$10,000 to \$15,000. Half the money is due up front, half upon completion. And that's yesterday's estimate; a year down the road is anyone's guess.

With Upper Milford Township having one of the lowest millages in the county, and since this project will benefit most of the township until 2020, why won't the township consider increasing the millage to share the cost? We all pay for the roads throughout the township, and we don't drive on all of them. We all pay for the parks, and we all don't use them. We all pay school taxes, and we have no children in school. And we all pay your salaries and benefits. Or why aren't alternative, more affordable systems being considered???

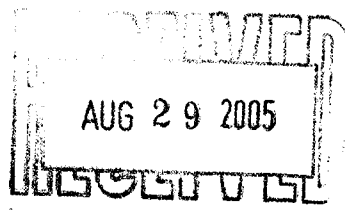
I sincerely hope you, your parents and anyone who reads this never, ever finds themselves in the hopeless position we citizens of Vera Cruz find ourselves, on the heels of the kennel fight which drained us; the sleepless nights and tearful days, worrying about our homes, our future, and possible uncontrollable development. Like the old saying, it's nothing personal, only business -- it is very, very, very personal.

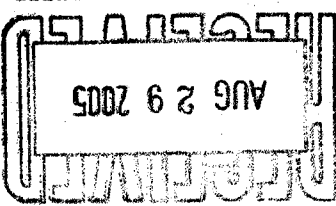
Thank you for your time,

Sincerely,
Melanie DeVault

Melanie DeVault
3502 Main Road East
Emmaus, PA 18049
(610-965-6871)

cc: Doug Reichley; Rob Wonderling





Another neighbor on Acorn Drive recently spent about \$10,000 repairing his sand mound septic system. He just received a sewer connection estimate of \$30,000. Another neighbor farther east on Main Road was quoted a price of \$58,000. If he needs a grinder pump, add another \$10,000, the plumber said.

Granted, our farmhouse is about 525 feet from Main Road East. Yet a neighbor two doors to the west just received a connection estimate of \$11,000 -- and he is only 100 feet from the road.

Attached is a copy of the written estimate I received on Aug. 25, 2005, from Curtis Total Service, Inc., in Allentown to connect our farmhouse to the proposed sewer. The estimate of \$31,812.50 is nearly 10 times what the township says typical private plumbing costs should run.

To adopt the plan in its present form would be tantamount to the township declaring a campaign of "economic cleansing" against the more than 7,000 citizens of Upper Milford, starting with the residents of Vera Cruz.

That is precisely the situation in the Vera Cruz area: There are simply too few homes and businesses in the area to bear the immense financial burden of the proposed sewer project.

~~"Resolving the sewage needs of rural Pennsylvania municipalities may not be practical using conventional methods, due to low development density and lack of available funding," admonishes DEP.~~

The Supervisors should send the consultants and everyone else involved in the plan back to the drawing board to develop a plan that is both practical and affordable, as advised by the Pennsylvania Department of Environmental Protection in its Act 537 Policy (Document No. 362-2206-007, copy attached).

As one of the few township residents who has paid \$200 for a copy of the Act 537 Plan Revision for Upper Milford Township and who actually read the plan, cover to cover, I respectfully request the Board of Supervisors to reject this plan at its meeting on Aug. 30, 2005.

To Whom It May Concern:

Secretary
Board of Supervisors
Upper Milford Twp.
P.O. Box 210
Old Zionville, PA 18068

Aug. 29, 2005

Phone: (610) 965-6871
FAX: (610) 966-9223
E-mail: devault@fast.net
Visit us on the web at www.phforganics.com

George Devault
Pheasant Hill Farm
3502 Main Road East
Emmaus, PA 18049

D. DeLong
B. Miller

cc: BOS

#36

Our \$31,812.50 estimate is based on the work starting today (or at least in the near future). Half that amount would be due on ground breaking, with the balance to be paid upon completion of the work. With rapidly rising fuel prices, labor and other costs, this work could easily cost 50 percent more by the time construction of the proposed sewer actually begins.

This estimate is a "best case" scenario. It assumes no problems are encountered with high water, big rocks or other obstructions. The Vera Cruz area is notorious throughout the Leigh Valley for having an exceptionally high water table. Dig down just 18 inches to two feet anywhere around here and you will hit water, under normal moisture conditions.

The estimate does not include the cost of pumping, crushing and filling the tanks for our present sand mound septic system, which is working just fine, by the way. We have our septic tank pumped on a regular basis, and perform other maintenance as needed. Last fall, for example, we spent more than \$1,500 for a new pump system in the dosing tank and another \$500 on replacing various pipe connections to eliminate future problems. Should our sand mound fail, we have secondary sites on our farm for another sand mound.

Of course, not everyone in the proposed Vera Cruz sewer project area has enough land where they could build another septic system. But many do, and that factor is not considered the plan. Connection is mandatory, which unfairly penalizes and discriminates against the many homeowners with working septic systems and/or large lots.

For the record, I am not opposed to Upper Merion adopting an Act 537 plan. Such plans are good and necessary for the health of residents and the environment, which is why they are mandated by state law.

My wife, Melanie, and I are staunch defenders of the environment. In recognition of our environmental work, we were named Conservation Farmers of the Year in 2004 by the Leigh County Conservation District (see attached letters, resolutions, proclamations, and citations from The Hon. Patrick M. Browne, Leigh County Commissioners, Leigh County Executive, Pennsylvania House of Representatives and the Senate of Pennsylvania).

We have a special interest in protecting Leibert Creek, since a one-acre wetland at the east end of our property contains an unnamed tributary that forms part of the headwaters of Leibert Creek, a high-quality, cold-water fishery with a naturally reproducing brown trout population.

Old Or Incomplete Information

Although delineated by a professional wetland scientist, our wetland does not appear on the wetland map in the township's Act 537 plan. Neither does the more than five acres of wetlands delineated by the U.S. Army Corps of Engineers in a jurisdictional determination last year on an adjoining property. Such glaring omissions suggest that whoever drew up this plan is relying on old or incomplete information.

"The proposed project may impact wetlands which this agency considers as critical and unique habitat," the Pennsylvania Game Commission cautioned in a letter to the township dated Oct. 6, 2004.

Assessments Unfounded, Inconsistent

The owner of that adjoining property appeared before the Township Zoning Hearing Board last May. He requested a waiver from the township's 50-foot wetland

"Urban Development" is defined by the Comprehensive Plan as "what is typically known as suburban development with public water and sewage services." Density is four - or more -- homes per acre.

"In Upper Milford, the Urban Development Areas include the northern part of the Township closest to Macungie, Lower Macungie and Emmaus. Future Urban Development is conditioned upon the availability of public water and sewage services and adequate road capacity. The Vera Cruz area was show in this category, with the intent that public water and sewage services would be provided."

6):
The Act 537 plan repeatedly claims the intent to preserve the rural character of Upper Milford, yet the plan is directly contradicted by the new Comprehensive Plan (Page **Contradictions**

What the plan fails to say is that current ordinances can -- and will -- change, if supervisors have their way. Upper Milford now has a 50-foot wetland buffer, for example. Township officials want to cut it in half, yet the new Southwestern Lehigh County Comprehensive Plan calls for maintaining or increasing present buffers.

Mixed Signals
"Secondary impacts such as controlling growth in this area should not be a problem. Current township ordinances will control growth based on the physical topography of the area and the inability to construct new houses," the Act 537 plan says of the Vera Cruz area.

"(b) If a landowner uses the services provided by the lines, either voluntarily or as required by law, but continues to meet the eligibility requirements set forth in (sections) 136.3 and 136.4 (relating to eligibility requirements for agricultural use; and eligibility requirements for cemetery use). the landowner shall be liable for the cost of installation of the lines, but only on that amount of the property that is benefited by the use of the lines." Farmland owners throughout the proposed project area, myself included, are now in the process of having their farmland certified by the Pennsylvania secretary of agriculture, so that they are assessed only on the small amount of land actually benefited by the sewer, as stipulated by state law.

"(a) The owner of land certified by the Secretary as land primarily devoted to agricultural use or as land devoted to cemetery use is not liable for the cost of the installation of water or sewer lines so long as the landowner does not use the lines and the land continues to be devoted to agricultural or cemetery use.

Assessment Ignores State Law
According to the Pennsylvania Code, Section 136.2 General provisions:

The Zoning Hearing Board unanimously refused his request, saying that the property was so wet it could not, should not and would not be subdivided. Yet the Act 537 plan suggests a Property Benefit Assessment for that property of the maximum of \$18,000. How is that possible?

buffer. His plan was to divide his 21 acres two parcels.

* Such intensive development would drastically alter the rural character of the township.

* Township officials have repeatedly said they will install only sewer lines, not sewer and water lines.

Who will provide water service to make future Urban Development possible? Will roads or rights-of-way have to be dug up again in a few years at great cost for the installation of water lines?

Planning Commission Questions Impact, Costs

"The system should be designed to serve only the area of need and not to encourage urban development," the Lehigh Valley Planning Commission admonished the township engineer in a letter dated Sept. 1, 2000 (see Act 537 Plan Appendix C, Planning Agency Review and Municipal Comments).

"We are concerned about the high user fees associated with the chosen alternative. Further, we don't believe all available alternatives have been evaluated. Past sew projects in other rural municipalities including East Allen and Lehigh Townships had met with great resistance due to high user fees. The East Allen project was never constructed for this reason. The LVPFC completed a study of needs for the Vera Cruz area in 1983. The study compares the costs of a community on-lot system and connection to public system. The study found that the cost of a community on-lot system was approximately 40% less than connection to the public system. The township plan does not provide an evaluation of a community on-lot system to serve the area. We recommend that the Township not move forward with the selected alternative until all options are evaluated."

Bottom line of what I and many other concerned township residents are saying is before the township adopts an Act 537 plan it should:

- * Evaluate all of the options.
- * Make the plan affordable.
- * Spread the financial burden.

DEP agrees. "Due to the high costs of the proposed project, everyone agrees that it is very important that all available avenues for reducing the financial impact be thoroughly evaluated," DEP's Michael J. Brunamonti wrote in a letter to the township on June 3, 2005 (see Appendix B, Project Correspondence).

"One suggestion put forth during the meeting was to consider spreading some of the project cost over the entire user base. The Department believes this suggestion should be considered as one of the financial alternatives in the Plan.

"Also, as discussed previously, if the income in the project service area is believed to be substantially less than the median income of the Township, an income survey might justify better financing. If an income survey is to be done, it should be completed as soon as possible, rather than waiting until completion of design. The Department would like the Plan to demonstrate the affordability of the proposed project in light of the above suggestions."

So would the citizens of Vera Cruz and all other township residents facing future sewer projects. We need an Act 537 plan, but not this plan.

The township is under no looming deadline to adopt an Act 537 plan on Aug. 30. Rather, this is a self-imposed deadline that can -- and should be -- extended until the major economic and other questions about the plan are answered to the satisfaction of township residents.

If that ultimately involves a referendum, bond issue or millage rate increase, "So be it!" say the many township residents who have expressed their concerns about the plan to me.

Upper Milford is a good place to live and the people who live here want to keep it that way, not just for ourselves, but for our children and future generations. Upper Milford Supervisors can easily give township residents the peace of mind they want and the high quality of life they deserve by rejecting this plan and ordering a new one that makes sense economically, environmentally and legally.

Sincerely yours,


George Devault

CC:
The Hon. Doug Reichley
The Hon. Rob Wonderling
Kate Crowley, PA DEP
The Morning Call
East Penn Press

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER QUALITY PROTECTION

DOCUMENT NUMBER: 362-2206-007

TITLE: POLICY ESTABLISHING NEW PROGRAM DIRECTION FOR ACT 537
COMPREHENSIVE PLANNING

EFFECTIVE DATE: April 15, 1997

AUTHORITY: Act 537 of 1966, the Pennsylvania Sewage Facilities Act (as amended), 25 PA
Code Chapter 71

POLICY: DEP will help rural municipalities and their consultants find practical,
affordable solutions to their existing and newly discovered sewage problems
that will protect public health and the environment, and will assist them in
finding the funding necessary to implement these solutions.

PURPOSE:

Resolving the sewage needs of rural Pennsylvania municipalities may not be
practical using conventional methods, due to low development density and lack
of available funding. Without affordable, practical solutions to their sewage
problems, these municipalities suffer public health and environmental
conditions that place their residents at risk and limit opportunities for economic
growth. Through this policy, DEP will:

- Develop information and resources to help rural municipalities and
their consultants find practical, affordable solutions to existing
problems that protect the public health and the environment;
- Help them plan for their future growth; and
- Assist them in finding available funding sources.

This policy document describes how the Department plans to achieve these
objectives.

APPLICABILITY:

This policy will be used by regional Act 537 program staff to assist rural
municipalities in resolving their sewage treatment needs.

DISCLAIMER:

The policies and procedures outlined in this guidance document are intended to
supplement existing requirements. Nothing in the policies or procedures shall
affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation.
There is no intent on the part of the Department to give these rules that weight
or deference. This document establishes the framework within which DEP will
exercise its administrative discretion in the future. DEP reserves the discretion
to deviate from this policy statement if circumstances warrant.

3 pages.

PAGE LENGTH:

LOCATION:

Volume 34, Tab 14A

TECHNICAL GUIDANCE:

I History of the Problem

A range of factors contribute to the difficulty in resolving the sewage problems of rural Pennsylvania. The primary factors include the following:

A Magnitude of the problem: Act 537, the Pennsylvania Sewage Facilities Act, has always placed the primary responsibility for permitting of on-lot sewage disposal systems and planning for new land development on local municipalities. In 1994, amendments to Act 537 were passed that increase the level of the municipality's responsibilities. Rural municipalities, however, have traditionally seen management of rural sewage disposal as DEP's job and have therefore limited their involvement with it. They often begin the sewage facilities planning process before they have a basic land use plan in place that would serve as a blueprint to guide their development. In these cases, the planning process is inverted, since municipal selection of sewage facilities alternatives, rather than the basic land use plan, drives proposed land uses. DEP has also been perceived as disregarding the sewage needs of rural areas, because their low population density and limited financial resources, combined with the scarcity of available grant funds, make conventional solutions to sewage problems extremely difficult to implement. Some rural municipalities' lack of basic planning and needs documentation requires them to do considerable catch-up work to be able to compete for scarce sewage facilities construction grants and loans. This can be a critical problem in low-income areas that could require up to 90% grants to afford a sewerage project using conventional methods.

B Alternatives: Many consultants are reluctant to propose innovative or low-tech, low-cost solutions to rural sewage problems due to the lack of reliable cost or performance data on these systems. This lack of reliable data has also resulted in lengthy delays or outright denials when consultants have proposed these new approaches to DEP. Consultants may also find it easier and more profitable to propose conventional technology.

Some rural municipalities see the Department as reluctant to allow them to use the sewage facilities planning process to accomplish the goals they want to achieve. The sewage facilities alternatives selected often appear to have been chosen by DEP and the consultant, not the municipality, when in fact DEP actively avoids taking over this municipal responsibility. Adding to the problem is that municipal officials often do not want the responsibility for decisions that will be considered unnecessary or expensive by their constituents. While DEP must be more flexible when evaluating low-cost yet effective solutions that meet the requirements of existing laws and regulations, municipalities must also be willing to assume responsibility to implement the selected alternatives.

C Acceptance of realities: Both municipalities and the Department must realize that it may be impossible for some rural municipalities to correct sewage problems using conventional collection, conveyance and treatment systems, due to low development densities and lack of available funding. The Department encourages municipalities to address management of both their existing and proposed new on-lot systems and their small flow systems as an alternative in their planning. Municipalities who are willing to assume more management responsibility could extend the life of their existing sewage facilities and be able to use noncentralized sewage alternatives which may be more affordable. Both DEP and municipalities must accept that phased implementation and long-term goal setting may be necessary to implement rural projects.

II Policy

In accordance with this policy, DEP will provide outreach and assistance to local governments in the Act 537 comprehensive sewage facilities planning process. In its oversight role DEP will provide information

to rural municipalities that have sewage treatment needs. The Department will work with the municipalities' consultants to define the range of alternatives available and to use this information to solve their sewage problems. The Department will use cases that were successfully resolved through implementation of this policy as models in other, similar circumstances.

Key elements in the Department's effort will include:

- encouraging comprehensive, long-range municipal land use and sewage planning;
- assisting in identifying and developing alternative sewage collection, conveyance and treatment technology;
- assisting in identifying and developing noncentralized sewage treatment technologies;
- encouraging practical, affordable technology;
- accepting the possibility of long-term, phased solutions;
- streamlining planning and design requirements;
- expediting and minimizing the paperwork required for implementation;
- assisting in identifying available funding sources;
- assisting municipalities in maximizing their eligibility for funding;
- pursuing the creation of new funding options through PENNVEST to provide low-cost financing for small rural sewerage projects;
- developing information on sewage management programs and elements of sewage facilities planning; and
- developing case studies of rural municipalities that have successfully addressed their sewage needs.

JOB NUMBER
26509

E-mail: ctsinc@ptd.net

Web site: www.CurtisTotalService.com

Curtis Total Service, Inc.



DATE: 8/25/08

1415 East Pennsylvania St. • Allentown, Pennsylvania 18109
 ALLENTOWN 610-770-9045 BETHLEHEM 610-974-9989 EASTON 610-253-4144 QUAKERTOWN 215-538-3231

WE CHARGE BY THE HOUR NOT BY THE HOUR

OWNER NAME George Dequith	TENANT NAME	HOW DID YOU HEAR ABOUT US? <input type="checkbox"/> Yellow Pages <input type="checkbox"/> Donnelly Pages #
ADDRESS 3502 main rd east	ADDRESS	E MAIL
CITY Emerys Pa 18049	BUSINESS PHONE	METHOD OF PAYMENT
STATE PA	TENANT'S PHONE	Card #
ZIP 18049	OWNER'S PHONE 610-965-6871	<input type="checkbox"/> Visa <input type="checkbox"/> MC <input type="checkbox"/> Disc <input type="checkbox"/> Amex
TECHNICIAN NAME mark	TIME IN 11:20	Exp Date #
TIME OUT	Check #	Authorization #

DESCRIPTION OF WORK	SERVICE CONTRACT #	UNIT	AMOUNT
Excavate septic Tank, crush and back fill hole	<input type="checkbox"/> PLUMBING <input type="checkbox"/> HEATING <input type="checkbox"/> A.C. <input type="checkbox"/> HOLIDAY		
SAS	<input type="checkbox"/> REGULAR <input type="checkbox"/> OVERTIME		
Excavate approx 35' from front of house to street. Trench to maintain pitch			
at 1/4" per foot and maintain 3' minimum depth.			
install a Tee and clean out every 50' as per			
code. Red all 4" pvc in screenings (3/8" to 1/4" stone 50			
per code. Connect to city supplied later. Back fill			
ditch to rough grade. Price includes new 4" pvc			
mouse trap and fresh air. Price includes all applicable			
permits.			
31812.50			

PLEASE PAY FROM THIS INVOICE • NO STATEMENT RENDERED.

WARRANTY - ALL MATERIALS SUPPLIED BY CURTIS TOTAL SERVICE, INC. ARE COVERED BY THE MANUFACTURER'S WRITTEN WARRANTY. CURTIS, INC. WORKMANSHIP AND LABOR ARE WARRANTED FOR THIRTY (30) DAYS UNLESS OTHERWISE SPECIFIED.

FOR THE ABOVE SERVICES THE UNDERSIGNED CUSTOMER AGREES TO PAY THE CONTRACTOR THE AMOUNT OF \$

THE CUSTOMER FURTHER AGREES TO PAY THE CONTRACTOR FOR THE ABOVE SERVICES AS FOLLOWS:

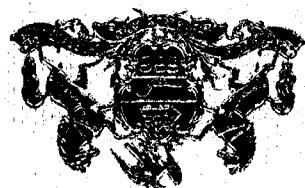
I HEREBY AUTHORIZE CURTIS TOTAL SERVICE, INC. TO PERFORM THE WORK DESCRIBED ABOVE SUBJECT TO THE TERMS AND CONDITIONS SET FORTH ON BOTH SIDES OF THIS FORM. I CERTIFY THAT I HAVE READ AND AGREE TO THE TERMS SET FORTH ON BOTH SIDES, AND THAT SAID TERMS REPRESENT THE ENTIRE AGREEMENT BETWEEN THE PARTIES.	SIGNATURE _____ DATE _____
I HEREBY ACKNOWLEDGE THE SATISFACTORY COMPLETION OF THE ABOVE DESCRIBED WORK.	SIGNATURE _____ DATE _____

You, The Buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

PATRICK M. BROWNE, MEMBER
 ROOM 814, MAIN CAPITOL
 HOUSE BOX 202020
 HARRISBURG, PA 17120-2020
 PHONE: (717) 787-6572
 FAX: (717) 705-1998

1600 LEHIGH PARKWAY EAST
 SUITE 1-R
 ALLENTOWN, PA 18103
 PHONE: (610) 435-3854
 FAX: (610) 821-6130
 E-MAIL: pbrowne131@aol.com

HOUSE OF REPRESENTATIVES
 COMMONWEALTH OF PENNSYLVANIA
 HARRISBURG



COMMITTEES:
 CHILDREN & YOUTH
 FINANCE, SECRETARY
 HEALTH & HUMAN SERVICES
 JUDICIARY
 POLICY
 URBAN AFFAIRS

PHEASANT HILL FARM George and Melanie DeVault

Congratulations on being honored by the Lehigh Conservation District with the 2004 Conservation Farmer of the Year award. I am certain your family and friends share your joy and excitement upon the celebration of this very distinct recognition.

Enjoy the well deserved accolades you are receiving for all of your hard work and dedication. I commend your achievement and admire your commitment to helping to set a standard of excellence in your community.

On behalf of the Pennsylvania House of Representatives, I wish you continued success in all your future endeavors.

Sincerely yours,

Patrick M. Browne

Patrick M. Browne
 State Representative
 131st Legislative District

County of Lehigh
Pennsylvania
Board of Commissioners

Resolution

2004 - No. 32

HONORING GEORGE AND MELANIE DEVAULT
AS THE LEHIGH COUNTY CONSERVATION DISTRICT'S
OUTSTANDING CONSERVATION FARMER OF THE YEAR

WHEREAS, the Lehigh County Conservation District annually honors an agricultural operation that has been diligent in applying conservation practices and demonstrated community involvement; and

WHEREAS, the Conservation District has selected George and Melanie DeVault, operators of Pheasant Hill Farm, as the 2004 Conservation Farmers of the Year; and

WHEREAS, the DeVaults operate a certified organic and preserved farm in Upper Milford Township and implement innovative soil enhancing, sustainable farming practices; and

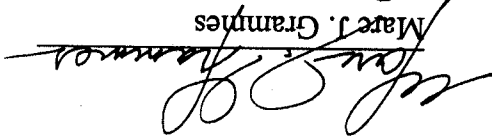
WHEREAS, George and Melanie DeVault are leaders, teachers and leading advocates for sustainable agriculture in Pennsylvania, the United States and throughout the world.

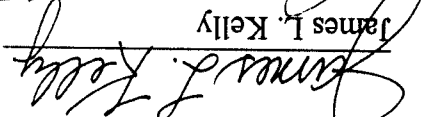
NOW, THEREFORE, it is hereby resolved by the Lehigh County Board of Commissioners,

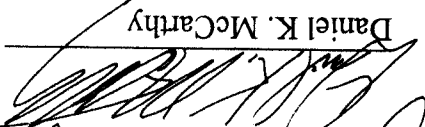
that:

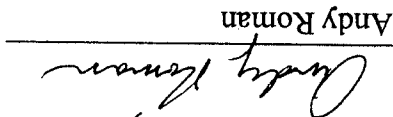
GEORGE AND MELANIE DEVAULT

the operators of Pheasant Hill Farm, are hereby honored as the 2004 Lehigh County Conservation District Farmers of the Year and commended for their commitment to conservation practices.

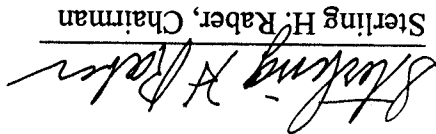

Mare J. Grammes


James L. Kelly

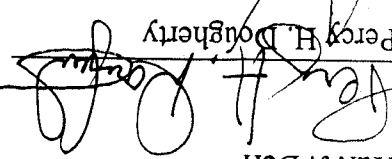

Daniel K. McCarthy

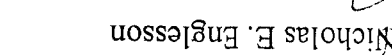

Andy Roman

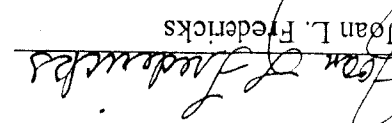



Sterling H. Raber, Chairman


Kurt J. Derr


Percy H. Dougherty


Nicholas E. Engleson


Joan L. Fredericks

County of Lehigh

Permanently

Office of County Executive

Proclamation

WHEREAS, the Lehigh County Conservation District wishes to honor George and Melanie DeVault, operators of Pheasant Hill Farm as the recipient of its "Outstanding Conservation Farmer of the Year" award for their ongoing dedication in bringing an expanded environmental awareness to our region;

WHEREAS, George and Melanie DeVault have lived and worked in Lehigh County with distinction and concern for their community and its environment;

WHEREAS, George and Melanie DeVault have shown leadership in each category of the award criteria by diligently applying conservation practices and demonstrating community involvement through their agriculture operation;

WHEREAS, the DeVault family have consistently demonstrated a long-term commitment to applying conservation practices to their 19 acre certified organic, permanently preserved farm, which grows a variety of vegetables, fruits, and cut flowers using innovative growing techniques, as well as their long association with Rodale Press to which both George and Melanie are frequent contributors to Rodale Institute's website NewFarm.org, as well as a number of agricultural publications;

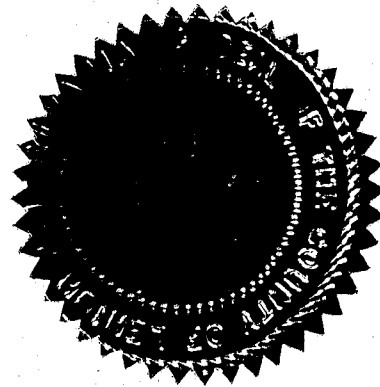
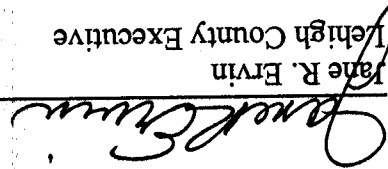
WHEREAS, communities are fortunate to have within them individuals whose vision and professional efforts have far-reaching results;

NOW, THEREFORE, I, Jane R. Ervin, Lehigh County Executive, on this tenth day of December 2004 do hereby commend

George and Melanie DeVault OUTSTANDING CONSERVATION FARMER OF THE YEAR AWARD RECIPIENTS

for their long-standing dedication to the field of agriculture and land conservation and urge all individuals, schools, businesses and organizations to join in expressing gratitude for their distinguished service to our community.

Jane R. Ervin
Lehigh County Executive



Commonwealth of Pennsylvania



The House of Representatives

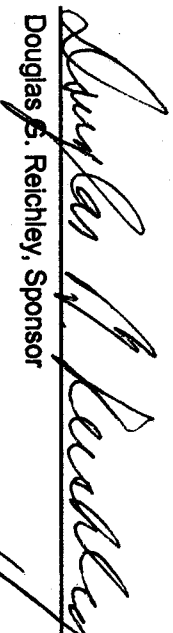
Citation

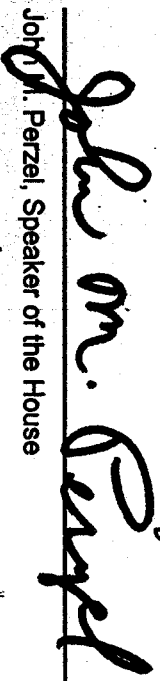
Whereas, George D. and Melanie DeVault, owners and operators of Pheasant Hill Farm, are being honored with the 2004 Conservation Farmer of the Year Award, which will be presented by the Lehigh County Conservation District on December 10, 2004; and


Therefore, The 19-acre certified organic, permanently preserved farm in Upper Milford Township produces a wide variety of vegetables, fruits and cut flowers through the use of innovative, soil-enhancing, sustainable farming practices. To their great credit, the DeVaults are recognized leaders, teachers and major advocates for sustainable agriculture in Pennsylvania, the United States and the world. Mr. DeVault joined Rodale Press in 1981 as Editor of *The New Farm* magazine and has been Editor of Rodale's Russian-language farm magazine since 1991. Both Mr. and Mrs. DeVault write for the Rodale Institute's Website, *NewFarm.org*. Mr. DeVault is in demand at the national level as a speaker who is knowledgeable about current United States farm policy and current national and world trends in sustainable agriculture. He is also a member of the Board of Directors of the Pennsylvania Association for Sustainable Agriculture. Both Mr. and Mrs. DeVault are outstanding writers and frequently contribute articles about sustainable agriculture to various magazines and farm publications. Mr. DeVault is also a former member of the Lehigh County Agricultural Land Preservation Board. Mrs. DeVault is a former member and past President of the Lehigh County Extension Board of Directors. She farms full time and is also a member of the Association of Specialty Cut Flower Growers.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates George D. and Melanie DeVault on the great honor which has been bestowed upon them, heartily commends their dedication and commitment to conserving the natural resources of this Commonwealth and the world beyond.

And directs that a copy of this citation, sponsored by the Honorable Douglas G. Reichley on November 23, 2004, be transmitted to George D. and Melanie DeVault, 3502 Main Road E, Emmaus, Pennsylvania 18049.


Douglas G. Reichley, Sponsor


John J. Perzel, Speaker of the House

Attest:

Ted Mazia, Chief Clerk of the House



Senate of Pennsylvania



HARRISBURG, PA

Congratulations

On the Senate, November 30, 2004

Whereas, The Senate of Pennsylvania is always pleased to recognize those exceptional individuals who, through their achievements, bring great credit to themselves and this Commonwealth; and

Whereas, George and Melanie DeVault are being honored by the Lehigh County Conservation District as the 2004 Conservation Farmers of the Year during its Annual Awards Dinner, which will be held December 10, 2004; and

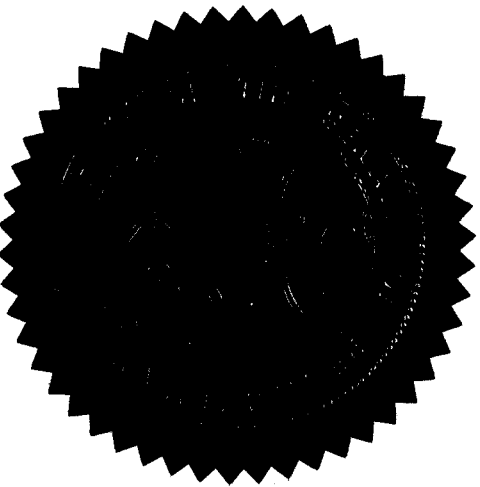
Whereas, Chosen for this award for their efforts in conserving soil and water resources, Mr. and Mrs. DeVault own and operate Pleasant Hill Farm, which is a nineteen-acre organic, permanently preserved farm. They grow vegetables, fruits and cut flowers using numerous sustainable farming practices, including organic pest and weed management, compost application and high tunnel growing techniques. They also utilize crop rotations, cover and green manure crops, poultry fencing, grassed waterways management, hay land management, subsurface drainage, low pressure irrigation systems, upland wildlife habitat management and buffer strip-cropping.

Now therefore, the Senate of the Commonwealth of Pennsylvania heartily congratulates George and Melanie DeVault upon their well-deserved distinction; offers best wishes for every future success and happiness;

And directs that a copy of this document, sponsored by Senator Lisa M. Baccala and Senator Robert E. Wondolung, be transmitted to George and Melanie DeVault, 3502 Main Road East, Emmaus, Pennsylvania.

Attest:


Mark R. Covigan, Secretary



ANOTHER VIEW

Upper Milford wants to ram sewer through Vera Cruz

They tried to ram a mega-kennel down the throat of Vera Cruz residents last year. Now, Upper Milford Township supervisors want to shove a sewer pipe up our other end. But we're not alone. Just about any of the 7,000 people living in Upper Milford could be next.



GEORGE DEVAULT

"The Upper Milford plan was only released at the end of July, yet there will be no more special public meetings on the subject. Why?"

Vera Cruz Sewer Project is not the end of sewers in Upper Milford. It is only the beginning. Vera Cruz gets all of the blame and all of the headlines, yet our tiny crossroads village is just one small part of a proposed new master plan that could bring sewer service to the eastern two-thirds of the township by 2020. Their strategy seems to be working. Most township residents are clueless. "You going to the big sewer meeting tomorrow night?" I asked a new member of our volunteer fire company in

I'm torn between two symbolic arguments about the future of this country. Symbolism matters in politics, a lot. That's why political leaders show their colors.



Vera Cruz at fire practice last week.

"No, I don't live in that district," he said. He never heard of the "Act 537 Plan Revision for Upper Milford Township," which is the full name of what most people shrug off as the Vera Cruz Sewer. The plan "addresses the entire area of Upper Milford Township," according to its summary. "Construction of sanitary sewers in the remaining portions of the township will be considered on an as-needed basis." Areas likely to receive sewers next include:

- Old Zionsville.
- Zionsville.
- Seventh Street Extension.
- Golf Circle.
- Adjacent to S. Fifth Street.
- Indian Creek area adjacent to St. Peters Road west of Chestnut Street.
- Hosensack Creek, Church View Road area.
- Swabia Creek basin, adjacent to Chestnut Street, Mill Road, Tank Farm Road and Rose Drive.

cent to Chestnut Street, Mill Road, Tank Farm Road and Rose Drive.

"Secondary impacts such as controlling growth in this area should not be a problem. Current township ordinances will control growth based on the physical topography of the area and the inability to construct new houses," the plan says of the Vera Cruz area.

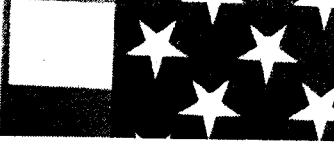
What the plan neglects to say is that current ordinances can — and will — change, if supervisors have their way. For instance, Upper Milford now has a 50-foot wetland buffer. Supervisors want to cut that in half. Why? Beats me. The new Southwestern Lehigh County Comprehensive Plan calls for bigger buffers. Why isn't Supervisor Daniel Vera Cruz sewer, even though he lives in the middle of an area where connection is mandatory? That was one of the very first

questions residents asked at the Aug. 17. That and many other questions went unanswered. Why? Solutions to sewage problems should be both practical and affordable. So says the Pennsylvania Department of Environmental Protection in its Act 537 policy. The Vera Cruz sewer is neither, say residents. They face tapping fees of \$3,250, property benefit assessments of up to \$18,000 and sewer fees of \$115 a month. It doesn't matter if your septic system works just fine. You must pay thousands more to fill in your system and connect to the sewer. "Resolving the sewage needs of rural Pennsylvania municipalities may not be practical using conventional methods, due to low development density and lack of available funding," cautions DEP. That's why the department encourages municipalities to consider innovative or low-tech, lower-cost alternatives. But Upper Milford did not. Why? The Upper Milford plan was only released at the end of July, yet there will be no more special public meetings on the subject. Why? You can still inspect the plan at the township building. Just pack a lunch first. The plan weighs 5 1/4 pounds, contains more than 400 pages and dozens of fold-out color maps. It sells for \$200 a copy. You'll have to hurry, though. Township supervisors intend to adopt the plan at their Aug. 30 meeting. Once they do, it's a done deal and anyone in the township could be next. Why the rush? Something really stinks in Upper Milford, and it's not just a few failing septic systems in the village of Vera Cruz.

George DeVault is a farmer and writer in Vera Cruz.

Southern border wall would create symbolic dilemma

immigration movement, you will get an unreasonable one. That's what's happening in parts more than 100,000 "other than simply put Mexico — and the break into your house and sleep on your couch. A wall would be unfair to people who want to



#27

CC: BOS
D. DeLong
B. Miller

August 27, 2005

Secretary, Board of Supervisors,

This is a protest letter for the installation of sewage (Act. 537) to the home of Mr. and Mrs. Richard C. Snyder, Sr. of 4391 Mill Road.

We moved to this address in September, 1986. And we had to install a sand mound - after Mr. Lichtenwalder perked our land and told us we could use a regular septic system. In the interim, Mrs. D. Johnson came into office due to the retirement of Mr. Lichtenwalder and the plans we changed for us!

The sand mound is functioning perfectly well as we clean it every three years by Schmuck Sewer service.

Why then must we be included in these actions as we are the last home on Mill Road? We are a retired couple on a fixed income and this will prove a financial hardship for us.

Some of our neighbors are not included in the advisory committee. Why! Please seek alternative plans!

RECEIVED
AUG 30 2005

Thank you,
Richard C. and Nancy L. Snyder.

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From: Baker, Michael M. [MBaker@buckeye.com]
Sent: Tuesday, August 30, 2005 5:01 PM
To: Dan DeLong
Subject: SPAM-LOW: Act 537 Plan - U. Milford Twp.

CC: BOS
D. DeLong
B. Miller

Dan,

Regret that I am not going to make the 08/30/05 Supervisors' Hearing that includes discussion of the Act 537 Plan. I expect a great deal of spirited discussion at the meeting.

I support the idea of the Septic Management Program for the greater good of the township's future - it needs to happen. I trust that you, the Supervisors, and the township consultants have a clear understanding of the program and have carefully weighed the costs of adopting the program with the benefits to the township and its citizens.

I have listened to very strong and reasonable commentary of those opposed to the plan. Some of their concerns are well founded and appear based in fact. As the township moves forward with the program I strongly urge the township to continue to interact with the reasonable opposing parties and address their concerns. While I understand and am sympathetic to the reservations and fears of the opposition, enough years of planning and discussion have already passed, it is time to act on the program.

I will not support the township's current tax dollars, my tax dollars, being spent on implementing the proposed Vera Cruz public sewer project. The entire township citizenry should not be burdened to provide special services to the selected residents in Vera Cruz, Old Zionsville, Zionsville or other areas ultimately deemed needing public sanitary facilities. I support the township obtaining any/all public grants and other public funding opportunities available to assist those citizens needing to pay for these services. Plainly said it is normal and lawful for property owners to pay for services that necessarily connect to and benefit their owned properties - I expect to pay for sanitary system improvements to my property if/when it is deemed necessary by the program.

Thank you for all that you do for the township and for accepting the difficult with the good responses of the citizenry.

Michael M. Baker

5350 Geissinger Road
P. O. Box 253
Zionsville, PA 18092-0253

8/31/2005