

**UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS
VERA CRUZ FIRE COMPANY SOCIAL HALL
EMMAUS, PA
AUGUST 17, 2005; 7:00 P.M.**

ACT 537 PLAN PRESENTATION

ATTENDANCE: Supervisors' Smith, Mohr and Kradjel, Manager DeLong, Solicitor Fisher, Secretary Shaak

GUESTS: Karl Schreiter, Frank Leist, Aurel Arndt and Brian Miller

Call meeting to order: 7:00 p.m.

Pledge of Allegiance to the flag.

ANNOUNCEMENT: This meeting is being recorded principally to aid in the preparation of Minutes and for such other purposes as the Board sees fit. For that reason, will each person wanting to give any comments during this meeting, please first state his or her name for the record. There will be ample opportunity for questions after the plan presentation so please hold your questions until that time.

PURPOSE OF MEETING STATEMENT:

The purpose of the Special Meeting of the Upper Milford Township Board of Supervisors is to present an overview and highlights of the Upper Milford Township Act 537 Sewerage Disposal Facilities Plan Revision for the Township. The presentation will lead into detail that is normally presented at a project level meeting. Due to the high cost of the recommended alternative to address long-term needs it is important to consider costs at this early stage.

PRESENTERS

- Overview of 537 Plan Process

Daniel DeLong, Township Manager
Karl Schreiter, P.E., Schreiter Engineering Associates, Inc.

- Needs Assessment

Brian Miller, Sewage Enforcement Officer, Upper Milford Township

- Alternatives and Recommendations

Daniel DeLong, Township Manager
Karl Schreiter, P.E., Schreiter Engineering Associates, Inc.

- Financial Aspects

Frank Leist, Lehigh County Authority

A power point presentation was given by the above people and on the topics listed above their names. Handouts were made available to the public in order for them to follow the presentation.

PUBLIC INPUT / QUESTIONS AND ANSWERS:

Solicitor Fisher moderated the question and answer portion of the evening directing questions to the appropriate individual to answer. A list of 33 residents spoke asking a multitude of questions relative to the Act 537 Plan. Due to people coming in late, etc. large portions of the presentation had to be reviewed over and over for the residents benefit.

Attached to this set of minutes is a copy of the questions that were asked along with their response.

- What's Next

Daniel DeLong, Upper Milford Township

Commented that the next step was to address responses to the questions submitted and to hold a meeting, which will be on September 30th, 2005 to adopt a resolution approving the Act 537 Plan.

ADJOURNMENT:

MOTION:

Supervisor Kradjel made the motion to adjourn the meeting at 9:40 p.m. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor and the motion carried.

Susan J. Smith, Chairman

Date Approved

Kim Shaak, Secretary / Treasurer

**ACT 537 PLAN - COMMENTS AND RESPONSES
08/17/05 MEETING**

RESPONSE #	RESIDENT #	NAME	ADDRESS	QUESTION OR COMMENT FROM SPEAKER	PERSON FIELDING QUESTION AND THEIR RESPONSE
1	1	MARTIN FIGLIOLI	5227 BOW LANE	HOW MANY OF THE BOARD OF SUPERVISORS HAVE TO HOOK UP TO THE SEWER?	SOLICITOR FISHER COMMENTED THAT NONE FALL INTO THAT CATEGORY.
2	1	MARTIN FIGLIOLI	5227 BOW LANE	MR. FIGLIOLI MADE A STATEMENT IN GENERAL REGARDING THE FOLLOWING: COMMENTED THAT DAN MOHR AND HIS FATHER AND TWO BROTHES SHOULD HOOK UP TO THE SEWER BECAUSE THEY LIVE CLOSE TO THE STREAM. HE ALSO COMMENTED THAT THERE ARE PROBLEMS WITH THESE TYPES OF SYSTEMS OVER IN LEHIGH COUNTY. PENNDOT RECENTLY MADE REPAIRS TO THE ROAD AND SHOULDERS OF MAIN ROAD EAST. HE ALSO DOES NOT WANT ANY TYPE OF DIGGING IN HIS YARD.	
3	2	JOHN GODISKA	2752 BRUNNER ROAD	COMMENDED FRANK LEIST FOR APPROACHING THIS WITH HONESTY AND BEING UPFRONT ABOUT THE COSTS OF THE PROJECT.	
4	2	JOHN GODISKA	2752 BRUNNER ROAD	MR. GODISKA ASKED ABOUT THE SURCHARGE, WHAT IF SOMEONE IS SELLING THEIR HOME CAN THEY PAY OFF THE TOTAL FEE UP FRONT?	FRANK LEIST SAID YES YOU MAY PAY IT OFF UP FRONT.
5	2	JOHN GODISKA	2752 BRUNNER ROAD	MR. GODISKA ASKED ABOUT NEW HOMES, IF THERE WAS A FORMULA CREATED TO ASSESS FOR NEW HOMES?	FRANK LEIST SAID THOSE PROPERTY OWNERS HAVE CONTRIBUTED THROUGH THE ASSESSMENT AND WILL PAY THEIR TAPPING FEES FOR THE PROJECT.
6	2	JOHN GODISKA	2752 BRUNNER ROAD	MR. GODISKA ASKED IF A FORMULA WAS DEVELOPED YET?	FRANK LEIST SAID NO FORMULA HAS BEEN CREATED AT THIS TIME.
7	3	MIKE DASHNER	2646 SICKLE CIRCLE	MR. DASHNER COMMENTED THAT WE ARE PAYING, WHAT HAPPENS WHEN DAN MOHR WANTS TO HOOK UP IN A COUPLE OF YEARS? WILL HE BE ABLE TO HOOK UP AT A LATER DATE?	DAN DELONG COMMENTED THAT DAN MOHR WOULD BE ABLE TO HOOK UP AT A LATER DATE.
8	3	MIKE DASHNER	2646 SICKLE CIRCLE	MR. DASHNER ASKED IF DAN MOHR WOULD PAY THE SAME AS WE ARE ALL PAYING AND WOULD THAT MONEY BE SPLIT UP BETWEEN US TO LOWER OUR COST?	FRANK LEIST COMMENTED THAT MONEY WOULD NOT BE SPLIT UP, IT WOULD GO TO PAY THE SURCHARGE AND TAPPING FEES. YOU WOULD HAVE A LOWER SURCHARGE.
9	3	MIKE DASHNER	2646 SICKLE CIRCLE	MR. DASHNER ASKED WHAT DAN MOHR WOULD PAY SHOULD HE HOOK UP?	FRANK LEIST COMMENTED THAT HE WOULD PAY THE CAPACITY TAPPING FEE, PAY FOR THE MAIN EXTENSION AND WON'T PAY THE 19K.
10	3	MIKE DASHNER	2646 SICKLE CIRCLE	MR. DASHNER ASKED HOW THIS BECAME THE DEFINED PROJECT AREA? (MEANING HIS AREA?)	DAN DELONG COMMENTED THAT THE MOYER SUBDIVISION WAS INCLUDED BECAUSE OF THE FAILURE RATES.

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11	4	KEN KLEPPERT	3554 MAIN ROAD EAST	WHAT IS THE PERCENTAGE OF SURVEYS THAT NEED TO BE RETURNED?	FRANK LEIST SAID 80 %
12	4	KEN KLEPPERT	3554 MAIN ROAD EAST	MAP THERE IS A ROAD (QUARRY ROAD) THAT DOES NOT EXIST, IS THAT TO BE A NEW ROAD COMING IN WITH A DEVELOPMENT?	DAN DELONG EXPLAINED THAT THIS ROAD DOES NOT EXIST, IT WOULD HAVE BEEN A ROAD MANY YEARS AGO IF FULMER WOULD HAVE DONE A SUBDIVISION HOWEVER HE DID NOT BECAUSE OF THE JASPER AND HISTORICAL IMPLICATIONS. DUE TO THIS HE DONATED THE PROPERTY TO THE TOWNSHIP AND HIS PROPOSED ROAD HAS REMAINED ON THE MAP AND WAS NOT TAKEN OFF.
13	4	KEN KLEPPERT	3554 MAIN ROAD EAST	PROPERTY ACROSS THE STREET FROM HIS WILL BE THE PUMPING STATION, HE WANTED MORE INFORMATION ABOUT THIS.	FRANK LEIST - ALL UNDERGROUND W/EXCEPTION OF A SCREEN.
14	5	STEVE MARENSKI	5226 JAVIS DRIVE	COMMENTED ABOUT THE 19K TOTAL FEE AND THE 115/MONTH FEE FOR SEWER.	FRANK LEIST - TYPICAL CONNECTION FEE IS \$7,850 (INCLUDING PRIVATE PLUMBING COSTS), THE PROJECT SURCHARGE IS \$11,500. MR. LEIST WANTED TO CLARIFY THAT THE MORNING CALL ARTICLE WAS INCORRECT IN ITS REPORTING OF THE \$35,000 FEE - THAT WOULD BE LIKE ADDING THE INTEREST, PAINTING, CUTTING THE GRASS FOR YOUR HOUSE FOR 20 YEARS. IF YOU PAY THE UP FRONT COST OF 19K YOU PAY NO SURCHARGE FEE EACH MONTH FOR THE NEXT 20 YRS. THE INTEREST RATE HAS BEEN ESTIMATED AT 5 % - GOING WITH THE CURRENT.
15				OVER THE PAST SEVEN YEAR PERIOD THE TOWNSHIP HAS ONLY RAISE 1.3 MILLION.	SOLICITOR FISHER SAID THE TOWNSHIP HAS A 1 MILLION DOLLAR GRANT APPROPRIATION FROM SPECTER, THE TWP. IS FORTUNATE TO HAVE LOCAL REPRESENTATIVES (REICHLEY, WONDERLING AND DENT) PLEDGE TO TRY AND FIND ADDITIONAL FINANCIAL SUPPORT FOR THIS PROJECT FROM THE STATE AND COUNTY. THE 1.3 MIL. IS NOT THE FINAL NUMBER FOR THE GRANT. DAN DELONG - THE TOWNSHIP HAS MISSED SEVERAL OPPORTUNITIES FOR FURTHER ADDITIONAL GRANTS DUE TO NOT HAVING AN APPROVED ACT 537 PLAN. THE FIRST QUESTION ON THE GRANT APPLICATION IS DO YOU HAVE AN APPROVED ACT 537 PLAN? OUR ANSWER IS NO WE DO NOT. UNTIL THE TOWNSHIP HAS AN APPROVED PLAN WE CAN NOT GO FORWARD AND SUBMIT GRANT APPLICATIONS.
16	5	STEVE MARENSKI	5226 JAVIS DRIVE	CAN WE HAVE FINANCE THE \$7,800 OURSELVES?	SOLICITOR FISHER - YES

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17	6	BOB VANAKEN	2795 MAIN ROAD E	COMMENTED THAT HE SPENT 20K ON A SEPTIC SYSTEM, HAS UPGRADED HIS SYSTEM AND NOW HE HAS TO FORK OUT A LUMP SUM AND DEPENDING ON OTHER ENTITIES. THERE IS NOTHING LOCALLY TO UPGRADE, THE TAXES HAVE DOUBLED IN LEHIGH COUNTY. MR. VANAKEN ASKED ABOUT A LOCAL SOLUTION TO THE PROBLEM RATHER THAN A SEPTIC SYSTEM.	FRANK LEIST - CLARIFIED THAT THE LCA WAS CREATED BY THE COUNTY, IT IS NOT RUN BY THE COUNTY, NOR IS IT FINANCED BY THE COUNTY. MANY INDIVIDUALS CANNOT DO ANYTHING LOCALLY.
18	6	BOB VANAKEN	2795 MAIN ROAD E	MR. VANAKEN FEELS THAT THE PEOPLE THAT BENEFIT FROM THE CLEANER WATER THAT THEY SHOULD BE ASSESSED A FEE. (EMMAUS / ALLENTOWN)	DAN DELONG - ALLENTOWN PUT THEIR SEWERAGE SYSTEM IN 100 YRS AGO, EMMAUS 1960 THEY BENEFIT FROM THE WATER OUT OF LEIBERT CREEK. UMT COSTS ARE ALREADY LESS B/C THEY HAVE ALREADY BUILT A SEWER PLANT. WE BENEFIT B/C OF WHAT CAME BEFORE YOU IS ALREADY PAID FOR. THE GROWTH RATES OF THE LEHIGH VALLEY MAY LIMIT THE POSSIBILITY TO HOOK UP FOR UMT.
19	7	CATHERINE RAPOSE	5202 JAVIS DRIVE	HOW DID YOU INITIALLY COME UP WITH THE \$7 MILLION COST? HOW IS THE ACT 537 PLAN COST BROKEN DOWN EQUITABLY.	FRANK LEIST - \$5.1 MILLION IS CONSTRUCTION COSTS ESTIMATES.
20	7	CATHERINE RAPOSE	5202 JAVIS DRIVE	WHAT IS THE \$451 UMT COST	FRANK LEIST - THE \$451 IS FOR OPERATION AND MAINTENANCE, DEBT SERVICE FINANCING TO VERA CRUZ SUPPORTED BY THE COMMON RATE BLOCK.
21	7	CATHERINE RAPOSE	5202 JAVIS DRIVE	IF THE PERSON PAYS THE UPFRONT 19K THEN WHAT DOES A PERSON PAY?	LEIST - THEN THE HOUSEHOLD WOULD PAY \$451 PER YEAR
22	7	CATHERINE RAPOSE	5202 JAVIS DRIVE	IF THE PERSON CHOOSES TO PAY THE \$115 MONTH, IS THERE A REBATE PROGRAM AS ADDITIONAL PEOPLE HOOK ON TO THE SEWER? SHE WANTS TO SEE THE MATH, COST OF ENGINEERING, EASEMENTS, IS THE CONSTRUCTION TO THE PROPERTY LINE.	LEIST - TRIED EXPLAINING SOME OF THE MATH TO HER, THE LATERAL GOES TO THE PROPERTY LINE
23	7	CATHERINE RAPOSE	5202 JAVIS DRIVE	DEP IS SUPPOSED TO REIMBURSE 50 % OF THE COSTS OF THE ACT 537, HAS THAT BEEN DONE?	AUREL ARNDT - SHOWED ONE OF THE CHARTS TO REVIEW THE DETAILS OF THE COSTS. IF THE COST IS PRE-PAID IT WOULD REDUCE THE BORROWED MONEY OF WHAT IS PREPAID. DELONG - THE DEP APPROVED THE WORK, THE TOWNSHIP HAS PAID THOSE COSTS OUT OF THE GENERAL FUND NOT THE VERA CRUZ PROJECT FUND, THE PLAN IS NOT A PROJECT.
24	8	LARRY GROW	4521 VERA CRUZ RD	ASKED ABOUT THE PRIVATE PLUMBING COSTS IF THEY WERE FROM THE HOUSE TO THE ROAD.	LEIST - PUBLIC LATERAL IS HOOKED UP AT THE EDGE OF THE ROAD.

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25	8	LARRY GROW	4521 VERA CRUZ RD	SOME PEOPLE ARE ON THE OPPOSITE SIDE OF THE CREEK HOW ARE THEY TO BE ACCESSED	LEIST - THAT IS FACTORED IN, THEY WOULD HAVE TO CROSS THE CREEK (UNDERNEATH).
26	8	LARRY GROW	4521 VERA CRUZ RD	ARE THERE SPECIFICATIONS ON THE PUMP HOUSE REGARDING NOISE, ETC.	LEIST - NO SPECIFICATIONS HAVE BEEN DETERMINED AT THIS TIME, THAT IS AT A PROJECT LEVEL.
27	9	JOE SCHAFFER	MAIN RD E?	THE ESTIMATED INTEREST FOR THE PROJECT IS 5 %	LEIST - YES 5 %
28	9	JOE SCHAFFER	MAIN RD E?	THE INTEREST IS GOING UP, HOW DO YOU EXPECT TO COVER THIS	LEIST - MUNICIPAL BONDS (THE TOWNSHIP IS A+ RATING) LOW INTEREST RATE, OR PENNVEST LOANS
29	9	JOE SCHAFFER	MAIN RD E?	DO YOU KNOW THE DIFFERENCE IF THE INTEREST RATE IS 6 % OR 5 %? BECAUSE THAT WILL BE A BIG FACTOR IN THE COST TO THE RESIDENTS	LEIST - NOT OFF THE TOP OF HIS HEAD
30	10	BRUCE HAIGH	ENGINEER - HIRED BY DEVAULT AS CONSULTANT	COMMENTED THAT HE REVIEWED THE ACT 537 PLAN AND THAT HE HAS NO PREFERENCE FOR AN ON-LOT SYSTEM OR A CERTIFIED COLLECTOR SYSTEM. HE WAS OPPOSED TO THE PARANA PLAN. COMPLIMENTED BRIAN MILLER ON THE NEEDS ANALYSIS, DELONG ON SCOPE OF THE PROJECT AND THE BOS B/C IMPLEMENTING A SEWER PROJECT IS NOT EASY AND IT IS A DIFFICULT DECISION TO MAKE.	

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31	10	BRUCE HAIGH	ENGINEER - HIRED BY DEVAULT AS CONSULTANT	MR. HAIGH READ A STATEMENT OUT OF THE DEP HANDBOOK RELATIVE TO THEIR POLICY GUIDE FOR SEWER. DEP HAS APPROVED 15 ALTERNATIVE SYSTEMS. IMPOSSIBLE TO TREAT CONVENTIONAL SYSTEM, ENCOURAGES MGMT TO USE EXISTING PROPERTIES, ONLOT SYSTEM AS AN ALTERNATIVE RATHER THAN A CENTRAL COLLECTION SYSTEM. ON MILLER'S SURVEY - THERE SHOWS SOME BAD SYSTEMS, THE LAST TIME THE WATER SAMPLES WERE DONE WERE IN 1996. THE LAST TIME LEIBERT CREEK WAS SAMPLED WAS 1993. ANYTHING THE CITY OF ALLENTOWN THE WATER IS CONTAMINATED BY WATER FROM UMT. THERE IS A TRUE PROBLEM IN VERA CRUZ. THE ZONING DISTRICT'S WERE DISCUSSED, ISOLATION DISTANCES WERE DISCUSSED. MR. HAIGH LOOKED AT THE CONSULTANT'S WEBSITE AND ON THE WEBSITE IT SAYS NOTHING ABOUT THE TREATMENT SYSTEMS THAT THE STATE SUPPORTS.	
32	10	BRUCE HAIGH	ENGINEER - HIRED BY DEVAULT	MR. HAIGH FEELS THAT ALTERNATIVE # 5 SHOULD BE LOOKED AT. CONNECTING TO THE SEWER W/LCA WILL CHANGE THE CHARACTER OF THE TOWNSHIP. ONLY THING STOPPING IS THE WETLANDS. THE RESIDENTS SHOULD ASK THE BOS TO STOP AND THINK ABOUT CONSIDERING ALT 5A, SPREAD OUT OVER THE TOWNSHIP TO MAINTAIN THE RURAL CHARACTER FO THE TOWNSHIP. IF ALT # 4 IS DONE DEVELOPMENT CAN'T BE STOPPED.	
33	11	ROSEANNE PICKET	2875 MAIN ROAD E	COMMENTED ABOUT THE PRIVATE PLUMBING COSTS, THE PREVIOUSLY INSTALLED WATER DRAINAGE PIPES AND IF THE SEWER PIPES WOULD TAKE THE PLACE OF THESE PIPES	LEIST - SEWER SYSTEM DOES NOT ACCEPT THE GROUND WATER LIKE THAT, THE GROUND WOULD BE RESTORED TO THE WAY THAT IT WAS. PLUMBERS DOING THE SAME SEWER PIPING WOULD BE IN ADDITION TO THE DRAINAGE PIPE THERE.

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34	12	BOB VANAKEN	2795 MAIN ROAD E	COMMENTED THAT HE FELT THAT THIS PLAN HAS BEEN LOW KEY, HAS BEEN KEPT QUIET AND THAT IT HAS BEEN SPRUNG ON US (RESIDENTS) TWO WEEKS BEFORE THE APPROVAL. VANAKEN SHOWED HIS LETTER, THAT IT WAS THE FIRST OFFICIAL THING FROM THE TOWNSHIP REGARDING THE SEWER. ASKED IF THE SEWER PROJECT SHOULD BE PUSHED OFF TO A LATER DATE. ASKED IF OTHER ALTERNATES WERE NOT CHOSEN B/C OF IT BEING EASIER TO OBTAIN GRANTS. IT LOOKS LIKE TAKE IT OR LEAVE IT.	
35	13	DEREK MILLER	3501 MAIN ROAD E	SEEMS LIKE THERE ARE A BUNCH OF HIDDEN COSTS TO THE PROJECT WITH THE ASSESSMENT FEES. YOU ESTIMATE THAT THE PROPERTY VALUES WILL INCREASE, HE FEELS DIFFERENTLY. HE ESTIMATES THAT HE WILL ALSO BE PAYING HIGHER PROPERTY TAXES B/C OF THIS SUPPOSED INCREASED IN VALUE.	LEIST - HE CAN'T SPEAK FOR THE COUNTY ABOUT PROPERTY ASSESSMENT. FISHER - LEHIGH CTY DOES NOT COME TO THE PROPERTY OWNER AND SAY TO PAY MORE MONEY.
36	13	DEREK MILLER	3501 MAIN ROAD E	ASKED ABOUT PUMP STATION # 1 - WHERE ON HIS PROPERTY WILL THIS GO?	LEIST - IT IS RATHER VAGUE AT THIS TIME
37	14	GEORGE DEVAULT	3502 MAIN ROAD E	READ A STATEMENT - WHICH WAS ALSO SUBMITTED IN WRITING, ALSO A COPY OF A LETTER THAT HE REC'D FROM A DEVELOPER REQUESTING TO PURCHASE HIS PROPERTY. THIS STATEMENT DISCUSSED CURRENT ORDINANCES. MR. DEVAULT WANTED TO KNOW HOW MANY TIMES THE TOWNSHIP HAS REFUSED TO ISSUE OR REVOKED AN OCCUPANCY PERMIT DUE TO A LACK OR UNACCEPTABLE ON-LOT SEPTIC SYSTEM. HOW MANY HOMES HAVE BEEN ABANDONED DUE TO LACK OF AN ADEQUATE SEPTIC SYSTEM. HOW MANY TIMES HAS A MORTGAGE BEEN REFUSED DUE TO AN INADEQUATE SEPTIC SYSTEM. MR. DEVAULT ALSO DISCUSSED SOME OF DEP'S POLICY. HE WANTS THE PEOPLE FROM VARIOUS OTHER PARTS OF THE TOWNSHIP TO BE INVOLVED IN THIS PROJECT, IT IS A PLAN TOUCHES ALL RESIDENTS OF UMT.	

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38	15	MARK DERRY	2702 SICKLE CIRCLE	IF A PROPERTY HAS A NEW SEPTIC SYSTEM AND THERE IS NO PROBLEM WITH IT WILL THEY BE REQUIRED TO HOOK INTO THE SEWER.	LEIST - YES
39	15	MARK DERRY	2702 SICKLE CIRCLE	IF THE PLAN GOES THROUGH WHAT WILL BE DONE WITH THE OLD SYSTEM, WILL IT BE ABANDONED.	LEIST - PART OF THE CONNECTION PROCESS IS TO PUMP OUT THE OLD SYSTEM, CRUSH THE TOP AND FILL IN W/DIRT / STONE. THIS IS CALCULATED IN WITH THE PRIVATE PLUMBING COSTS.
40	16	WILLIAM ROY	3851 MAIN RD E	HE IS A MULTI UNIT OWNER (GARAGE / DELI / APARTMENT). THE ADDED COST OF THE SURCHARGE AND TAPPING FEE - HOW WOULD IT AFFECT HIM. THERE IS NO WAY THAT IT CAN INCREASE THE PROPERTY VALUE FOR HIM. IN 1998 HE PUT IN A NEW 3-TANK SYSTEM AND IT WORKS FINE. HE DOES NOT FEEL THAT IT IS FAIR FOR HIM TO PAY THE STANDARD EDU, THE COST IS OUT OF LINE.	LEIST - NOT FAMILIAR WITH HIS PROPERTY, ONE DEED TRACT COMMERCIAL PROPERTY - LOOK AT THE ACTUAL USAGE. THE LCA WOULD LOOK AT THE USAGE AND REVIEW THAT FOR OVER A YEAR'S TIME - THE PERSON WOULD HAVE TO PURCHASE A NUMBER OF UNITS BASED ON SERVICE AND IF IT INCREASES BUY ADDITIONAL. DIFFICULT TO SAY THE COST B/C USAGE IS NOT KNOWN AT THIS TIME. WOULD BE WISE TO INSTALL A WATER METER ON PROPERTY AT THIS TIME AND FOR ANY OTHER BUSINESS.
41	17	STEVE MARENSKI	5226 JAVIS DRIVE	ASKED IF UMT WOULD ADDRESS COMMENTS FROM GEORGE DEVAULT AND THE OTHER GENTLEMEN (BRUCE HAIGH)	DELONG - THE BOARD OF SUPERVISORS ARE NOT GOING TO COMMENT TONIGHT. THERE WILL BE A FORM LETTER REGARDING THE RESPONSES.
42	18	EARL SHANKWEILER	5323 VERA CRUZ RD	WHERE IS THE ONE MILLION DOLLARS, WAS IT PUT IN SOMEONES POCKET	FISHER - MONEY IS THERE AND IS COMMITTED TO THE PROJECT.
43	18	EARL SHANKWEILER	5323 VERA CRUZ RD	HE HAS A DOUBLE HOME, CAN'T AFFORD THE PROJECT, THERE IS ONE SEPTIC AND ONE WELL FOR BOTH HOMES.	LEIST - THEY WILL FIND THE TANK, TAKE THE TOP OFF, PUMP IT OUT, FILL IN W/DIRT / STONE, CONNECT TO THE PUBLIC LATERAL TO YOUR HOUSE. DOUBLE HOME - 2 EDU, ONE FOR EACH UNIT.
44	19	BRIAN STAUFFER	5231 JAVIS DRIVE	FUNDING - THE MORE ALLOCATED TO THE PROJECT HELPS EVERYONE OUT. HOW LONG WILL THE FUNDING BE PURSUED.	LEIST - PURSUE FUNDING BEFORE CONSTRUCTION AND DURING AND YOU CAN CONTACT THE REPRESENTATIVES TO FIND OUT THE FUNDING STATUS.
45	20	EARL SHANKWEILER	5323 VERA CRUZ RD	WILL HE HAVE TO MOVE OUT OF HIS HOUSE BECAUSE HE CAN NOT AFFORD THE PROJECT	LEIST - TRYING TO MAKE THIS PROJECT AS AFFORDABLE AS POSSIBLE.

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46	21	JOHN KARLY	ATTORNEY - FOR A RESIDENT	COMMENTS WERE ABOUT THE PEOPLE WITH SYSTEMS THAT WERE FINE, WHY THEY HAD TO PAY FOR PEOPLE WITH MALFUNCTIONING SYSTEMS. HE HAS LEGAL QUESTIONS, WHICH WOULD BE ADDRESSED WITH SOLICITOR FISHER. QUESTIONED WHETHER OR NOT UMT MET THE RATIONAL RELATIVE TEST PRESENTLY / SUSPECTED / MALFUNCTIONING SYSTEM. CONSIDERATION DO DEVELOP AND EVALUATE OTHER ALTERNATIVES TO SOLVE THE SEPTIC PROBLEM. THE PROPERTIES THAT HAVE MALFUNCTIONING SYSTEMS, WHAT ABOUT EXAMINING THEIR SYSTEM AND MAKING THEM FUNCTION RATHER THAN IMPOSING A SEWER SYSTEM ON PEOPLE W/FUNCTIONING SYSTEMS. WHY HASN'T THE SEPTIC MANAGEMENT PROGRAM NOT COVERED.	FISHER - ALL QUESTIONS NOT ANSWERED WILL BE SENT OUT IN A FORM LETTER.
47	22	GEORGE DEVAULT	3502 MAIN ROAD E	A LOT OF PEOPLE IN THE ROOM WHO HAVE NOT SPOKEN. IF YOU SUBMIT A LETTER IT WILL GO INTO THE PLAN, PUT IT IN WRITING AND THEY WILL HAVE TO RESPOND	FISHER - RESPONSES WILL BE SENT OUT IN A FORM LETTER.
48	23	SANDY LAPP	3588 MAIN RD E	LIVES IN R-A ZONING DISTRICT, COMMENTED ABOUT THE S.W.COMPR. REGIONAL PLAN W/NEIGHBORING COMMUNITIES AND THE DESIGNATION OF FUTURE URBAN DEVELOPMENT. IN THE PLAN VERA CRUZ IS DEPICTED AS AN URBAN DEVELOPMENT, IT IS PICKED B/C IT WILL HAVE SEWAGE.	EPA HAS DESIGNATED IT AS AN URBANIZED AREA.
49	24	JIM KELLAR	5401 ACORN DRIVE	PREPARED A STATEMENT TO READ, HE DID NOT PURCHASE HIS PROPERTY IN ORDER TO DEVELOP IT AND HIS ASSESSMENT IS BETWEEN 18 - 19K. HOW WAS THE ASSESSMENT DETERMINED?	LEIST - THEY LOOKED AT THE PROPERTIES AND MADE CERTAIN ASSUMPTIONS. THE PROPERTY OWNER CAN CONTEST THE ASSESSMENT, THE TYPICAL ASSESSMENT IS \$1,110 AND UNFORTUNATELY YOURS IS THE HIGHEST.
50	24	JIM KELLAR	5401 ACORN DRIVE	JIM THEN QUOTED A PART OF THE PENNSYLVANIA CODE REGARDING THE AGRICULTURAL USE AND THAT HIS PROPERTY SHOULD NOT BE ASSESSED AS HIGH AS WHAT IT IS.	LEIST - HE DIDN'T KNOW ABOUT KELLAR'S CERTIFICATION, HOWEVER, THAT SHOULD BE SUBMITTED IN ORDER FOR A REASSESSMENT OF THE PROPERTY TO BE DONE. THE BALANCE OF THAT ASSESSMENT WOULD BE PUT AS A LIEN ON THAT PROPERTY FOR THE FUTURE HOMEOWNER.

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51	24	JIM KELLAR	5401 ACORN DRIVE	KELLAR COMPLAINED ABOUT THE FAILING SYSTEMS AROUND HIS PROPERTY. THERE WAS A STUDY DONE IN 1969 FOR THE NEED FOR A SEPTIC SYSTEM. WHY IF THESE PROPERTIES WERE IDENTIFIED 30 YEARS AGO WERE THEY NOT FORCED TO CORRECT THEIR MALFUNCTIONING SYSTEMS, WHY WAS THERE NO ENFORCEMENT OF THE TOWNSHIP'S ORDINANCES.	DELONG - THE TOWNSHIP HAS NEVER TOLD ANYONE TO MOVE OUT OF THEIR HOMES B/C OF A FAILING SEPTIC SYSTEM. THERE ARE A LOT OF PEOPLE HERE WHO DO NOT SPEAK UP B/C THEY HAVE A DESPARATE NEED FOR A SEWERAGE SYSTEM. WE CAN REVOKE OCCUPANCY PERMITS, WE CAN INSIST ON STREAM DISCHARGE PERMITS OR BTG REPAIRS IN OTHER CASES. THE BOS IN THE PAST HAD NO DESIRE TO PLACE THE WHOLE THING SQUARELY ON SOMEONE W/A FAILING SYSTEM, WE ARE NOT GOING TO DO THAT.
52	24	JIM KELLAR	5401 ACORN DRIVE	WITH THIS 38 YEAR STUDY, THE TOWNSHIP IS AWARE OF THE FAILING SYSTEMS. HE READ A PORTION OF THE ZONING BOOK REGARDING UMT'S ENFORCEMENT OF THE LAW.	
53	25	BRUCE HAIGH	ENGINEER - HIRED BY DEVAULT AS CONSULTANT	CLARIFIED THAT HE NEVER SAID TO THROW PEOPLE OUT OF THEIR HOMES. HIS OPINION WAS THE TOWNSHIP DID NOT DEMONSTRATE A PUBLIC HEALTH ISSUE. DEP'S LETTER SAID THAT YOU CAN'T GET PENNVEST FUNDING BASED UPON THE WELL SAMPLING. THE TOWNSHIP SHOULD LOOK AT SOME ALTERNATES THAT ARE PREAPPROVED BY DEP. DOES NOT FEEL THE REPORT WAS DONE IN ENOUGH DETAIL.	
54	26	JIM KELLAR	5401 ACORN DRIVE	KELLAR - DID NOT MEAN TO IMPLY THAT PEOPLE SHOULD BE KICKED OUT OF THEIR HOMES B/C OF THIS PROBLEM. HOWEVER, IF DONE PREVIOUSLY IT WOULD HAVE BEEN DONE ON LARGER LOTS IF THEY WERE FORCED TO CORRECT THE MALFUNCTIONS.	
55	27	PHIL CASEY	3201 MAIN ROAD E	MADE AN OBSERVATION THAT IF UMT CLAIMS THERE IS CONTAMINATION IN THE LEIBERT CREEK FROM THE SEPTIC SYSTEMS OF VERA CRUZ WHY IS EMMAUS BOROUGH CLAIMING THERE IS NO PROBLEM. THEY HAVE A PARK RUN ALONG THE LEIBERT CREEK, THEY DRINK THE WATER - STREAMS HAVE A WAY OF FIXING THEMSELVES.	

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08/17/05 MEETING**

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56	28	BOB VANAKEN	2795 MAIN ROAD E	VANAKEN - HE DIDN'T KNOW THAT HE WOULD BE REQUIRED TO FILL IN HIS SEPTIC SYSTEM. COMMENTED THAT B/C HE INSTALLED A SAND MOUND, HE WILL NOW HAVE TO FILL IN THE SEPTIC SYSTEM AND WILL HAVE A SAND MOUND FOR THE BEAUTIFICATION OF HIS PROPERTY. HE DOES NOT FEEL THAT THE BOS HAVE THE RIGHT TO VOTE IN TWO WEEKS. THERE IS ALOT OF MONEY INVOLVED IN THIS PROJECT.	
57	28	BOB VANAKEN	2795 MAIN ROAD E	WAS A HIGH TECH SOLUTION EVEN PURSUED, HOW WAS IT ANALYZED? IN 2 YEARS THE PROJECT WILL BREAK GROUND AND THE COSTS WILL GO UP 50 % - HE SHOULD KNOW B/C HE IS A PROJECT MANAGER.	
58	29	MIKE DASHNER	2646 SICKLE CIRCLE	DASHNER - SCHOOL AND COUNTY TAXES WILL GO UP B/C OF THE NEW ASSESSMENT.	TAX ASSESSMENTS WILL ONLY GO UP IF PROPERTY VALUES INCREASE AND ASSESSMENT TAKES PLACE.
59	30	BILL SANDERSON	5319 ACORN DR	SANDERSON - LAST TIME HIS ROAD WAS NOT ON THE PROJECT AND NOW IT IS. WHY ISN'T THE TOWNSHIP INVOLVED. NOW HE IS READING THAT MORE MONEY IS INVOLVED AND WILL HAVE TO PAY \$115 PER MONTH, IT IS RIDICULOUS. WHY DOESN'T THE TOWNSHIP AS A WHOLE PAY FOR THE SEWER PROJECT.	
60	31	LYNN DASHNER	2646 SICKLE CIRCLE	WHOLE TOWNSHIP PUT IN THE PUMPING STATION B/C SOME PEOPLE WILL HOOK INTO. WHY ARE SOME PEOPLE CLOSE TO THE CREEK NOT ON THE PROJECT? QUESTIONED ABOUT MOYER SUBDIVISION AND THAT SHE HAD SPOKEN W/NEIGHBORS, IT IS NOT FAIR TO EVERYONE NOT BE ASSESSED.	
61	32	MELANIE DEVAULT	3502 MAIN ROAD E	DEVAULT - OTHER MUNICIPALITIES DO SEWER PROJECTS ALSO, WHY ARE THESE COSTS SO OUTRAGEOUS COMPARED TO OTHER ONES.	LEIST - B/C CONSTRUCTION COSTS, CAN'T MAKE THE CONSTRUCTION COSTS GO AWAY.
62	32	MELANIE DEVAULT	3502 MAIN ROAD E	DEVAULT - NOT FAIR THAT THEY ARE NOT GETTING HELP FROM THE TOWSHIP.	LEIST - NOT CONNECTED, AND THAT THE TOWNSHIP IS WORKING ON GRANTS FOR THE PROJECT.

**ACT 537 PLAN - COMMENTS AND RESPONSES
08/17/05 MEETING**

RESPONSE #	RESIDENT #	NAME	ADDRESS	QUESTION OR COMMENT FROM SPEAKER	PERSON FIELDING QUESTION AND THEIR RESPONSE
63	32	MELANIE DEVAULT	3502 MAIN ROAD E	DEVAULT - ASKED ABOUT REPRESENTATIVES	REICHLLEY - SPOKE THAT HE AND WONDERLING WERE WORKING W/BOS TOWARDS GETTING AID. THEY ARE NOT ABLE TO SPEAK EFFECTIVELY UNLESS THEY HAVE AN APPROVED PLAN. FISHER - ONCE THE PLAN IS APPROVED THEN THEY CAN GO FORWARD AND GET ADDITIONAL FUNDING - UNTIL THEN THEY CAN'T GET ANY.
64	33	GEORGE DEVAULT	3502 MAIN ROAD E	DEVAULT - WANTS TO BE A GOOD NEIGHBOR, DISCUSSED THE PROPERTY NEXT TO HIM THAT IT HAD GONE BEFORE THE ZHB AND WAS DENIED A SUBDIVISION B/C OF WETLANDS. NOW THEY WILL BE HOOKING UP TO THE SEWER AND THEY WILL BE ABLE TO HAVE THEIR SUBDIVISION B/C OF THE SEWER. HE WAS DISCUSSING HIS NEIGHBORS ASSESSMENT / HIGH FEE.	LEIST - CONCEPTUAL ASSESSMENTS - PEOPLE HAVE A RIGHT TO CONTEST ASSESSMENT AND CAN PAY IT BEFORE / AFTER APPRAISAL.

**UPPER MILFORD TOWNSHIP
SPECIAL MEETING OF THE BOARD OF SUPERVISORS
UPPER MILFORD TOWNSHIP BUILDING
OLD ZIONSVILLE, PA
AUGUST 30, 2005; 7:30 P.M.**

ATTENDANCE: Supervisors' Smith, Mohr, and Kradjel, Manager DeLong, Attorney Eric Strauss, and Secretary Shaak

Call meeting to order at 7:33 pm. (125)

Pledge of Allegiance to the flag.

ANNOUNCEMENT: This meeting is being recorded principally to aid in the preparation of Minutes and for such other purposes as the Board sees fit. For that reason, will each person wanting to give any comments during this meeting, please first state his or her name for the record.

CHAIRPERSON'S STATEMENT:

CHAIRPERSON'S STATEMENT:

The Board of Supervisors would like to thank everyone who submitted written comments on the Act 537 Plan and also the efforts made to make the community aware of the current situation as it relates to long-term wastewater disposal needs.

MOTION: Supervisor Smith made the motion

- Request that staff and the Township's Consultants provide a timely response to the Act 537 written comments and to distribute such responses to the Board of Supervisors and those persons who took the time to provide written comment. The same information should be made available to the general public by having additional copies available for public view at the Township's Office. Also authorize that a general fact sheet be developed to provide readily available information to the public on the most frequently asked questions or misunderstandings.

Supervisor Mohr seconded the motion. Any questions or comments, roll call vote: Kradjel – yes, Mohr – yes and Smith – yes.

MOTION:

Supervisor Smith made the motion to continue this meeting until September 27th, 2005 at 7:00 p.m. at the Citizen's Fire Company Social Hall. Supervisor Kradjel seconded the motion. Any questions or comments, questions were asked by various residents not about the postponement of the meeting (which would have been relative to the motion) they were specific questions of why their property was in the proposed project area. John Kotsch asked about notification being given to the residents about the future phases. Mr. Kotsch is concerned about other parts of the Township. Supervisor Kradjel explained about the Act 537 Plan, the alternatives that the Township is going forward with. Manager DeLong explained the alternatives in further detail as well. Chris Fulmer was upset because he thought that his property would be condemned and used for a community wastewater treatment center. Mr. Fulmer wanted to get into further discussion but it was stopped. Mr.

Fulmer got upset with the entire Board because they had smiles on their faces, they were smug, etc. John Kotsch asked about the areas that failed, also about the PSA's and their explanation. Manager DeLong explained it for his benefit. Matt Ardinger asked about his property (gave his address) and questioned whether or not his property would be exempt. Manager DeLong said that it was affected and he knew that because a friend of his mother had contacted him that day about that particular property and because he has a malfunctioning system. Mr. Ardinger was upset about Manager DeLong's comment; he was also upset with Manager DeLong because he had a smile on his face about this. Mr. Thomas Carl commented that the Act 537 Plan should be on the Internet for the peoples use and that he would be willing to volunteer his time in order to establish this. Sandy Lapp asked whether additional time would be given in order for people to submit more responses and Supervisor Smith said no because the deadline had passed. Role call vote: Kradjel – yes, Mohr – yes and Smith – yes.

PUBLIC INPUT: None

RESOLUTION: Not discussed

1. Resolution No. 2005 – 023 to adopt a revision to the *Official Sewage Facilities Plan Act 537*.

EXECUTIVE SESSION: If necessary

ANY OTHER BUSINESS: None

ADJOURNMENT: 7:55 p.m.

Susan J. Smith, Chairman

Date Approved

Kim Shaak, Secretary / Treasurer