

**TOBYHANNA TOWNSHIP  
PUBLIC NOTICE**

The Tobyhanna Township Board of Supervisors has scheduled a Special Meeting to discuss Act 537 Plan update and associated water and sewer infrastructure projects and any other business that comes before them. The meeting will be held on Tuesday, August 27, 2019 at 8:00 AM at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Monroe County, Pennsylvania.

By Order of the  
Township of Tobyhanna  
Board of Supervisors

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
SPECIAL MEETING  
AUGUST 27, 2019

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A Special Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on August 27, 2019, at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

Present are Supervisors Anne Lamberton, John Holahan, III, Heidi A. Pickard (at 8:02), Brendon Carroll, David Carbone, Assistant Township Manager Autumn Canfield, Township Engineer Robert “Bob” McHale, and Solicitor Jonathan J. Reiss, Esq.

1. Chair Anne Lamberton calls the meeting to order at 8:00AM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Public Comment - none. Heidi Pickard arrives at 8:02AM.
4. Act 537 Plan Update – Sewer discussion. Wayne Gross of RKR Hess provides an update on the status of the Act 537. The Task Activity Report was approved by DEP in April 2019. A draft flow transfer for Pinecrest to the Pocono Summit West Area was submitted to the township March 28<sup>th</sup>. Once the township approves the plan, it is submitted to the DEP regional and central offices for review. Then, the township will review the Act 537 plan.

Per DEP’s request, a draft spray analysis was submitted to DEP on July 12<sup>th</sup> and is under review. The plan is currently using PennVest funding, tapping fees, and local borrowing; any changes in funding sources the township decides on need to be in the sewage plan cost analysis. Once these items are approved the plan can be finalized and submitted to the township and county planning commissions.

RKR Hess is at a standstill until the previous items are approved and the township comes up with a detailed cost analysis plan. Autumn Canfield states the township cannot approve the flow request until Pinecrest and Aqua discuss it. They are currently reviewing documents.

The Board discusses the potential of Aqua expanding its plant and how it would affect the Act 537. Wayne Gross has received Aqua’s cost estimates and is waiting on operation and maintenance costs of the expanded plant. The cost for a full build of this option is nearly \$25 million. Bob McHale states the dry sewer and dry water cost includes \$400,000 each for the sleeves under the roadway. This may be in the bid as an alternate item.

The Board discusses owning the system and charging tapping fees, how different forms of funding would affect a potential relationship with Aqua, and different alternative properties.

Jason Fitzgerald states public-private partnerships limit grant funding eligibility. The USDA can be involved if done through an authority. The township is at an advantage politically because Congressman Cartwright sits on the appropriations committee. The program will give feedback on the application within 30 days. The H2O PA program has had no funding for 8 or 9 years. There was initial funding; they asked the governor to put \$250 million into it and he put in \$40 million. DCED is willing to accept input from local governments for more funding. It is very tough to get funding for sewer compared to roads and bridges. The majority of funding will have to come from borrowing or fees.

Autumn Canfield discusses caveats to the USDA plan. The township would apply for a loan first and possibly received grant money. Both projects together, cost \$35 million, which may be above the township's borrowing capacity. Bob McHale states Wayne needs something viable to include in the Act 537. Autumn Canfield states Pennvest caps at \$20 million for a single municipality. The rest would have to be from other sources.

The Board discusses planned capacity and fees per EDU. Wayne Gross states the plan is currently around \$1,000 per EDU, but that doesn't include the operating and maintenance costs. The estimated flow for the Pocono Summit West Area is about 250,000 gallons per day (GPD). The current plan has an NPDES permit for 500,000 GPD. Bob McHale states phases 7, 8, and 9 of Pinecrest have not yet been built. Wayne Gross states there is 77,000 GPD set aside for the Pocono Pines area. Remaining portions are in the Pinecrest Area. Bob McHale states the plan also includes hooking up Tobyhanna Elementary Center. Wayne Gross states there is already 78,000 allocated for attaching TEC.

Heidi Pickard asks how many GPD is allocated for phases 7, 8, and 9 of Pinecrest. Wayne Gross states he doesn't have those numbers. Bob McHale states the current reallocation plan involves Pinecrest losing phases from their development. Jonathan Reiss asks if Aqua is going to be interested in purchasing the lines. Bob McHale states they are not interested in the lines, but they would be interested in a water system. Autumn Canfield states Aqua would take the system as a dedication. Jonathan Reiss asks if their interest in the water system could be leveraged by our interest in selling the wastewater system. Bob McHale states they would be interested in purchasing the entire system, but it would have to be built first. They don't want the wastewater system.

Bob McHale asks if the overall plan can be phased, and is DEP be okay with that. Wayne Gross states expanding the plant, requires a second NPDES permit. If the plan is phased, there still needs to be a funding plan for the entire Act 537 plan.

Wayne Gross states the funding does not need to be secured, just planned. Bob McHale states that if there is a phased approach and the finances are phased too, the township will be responsible if funding falls through. The Board discusses where the funding would come from. Autumn Canfield states part of the reason to have this meeting is to get the Board's

thoughts on borrowing the money and whether or not to get back into the sewer business. Bob McHale states most developers and owners along the corridor are in favor of sewer because of the value of the land. John Holahan states the property owners may help fund it, but the township would sacrifice opportunities for grants. Jason Fitzgerald states EDA funding would still be obtainable. The Board wants Wayne Gross to break the project into phases to match Jason Fitzgerald's funding plan.

John Holahan states the Board needs to take care of reallocation of flows and asks if that can be done. Wayne Gross replies there is no precursor for doing that, and the funding plan does not need to be followed closely. Bob McHale asks if the flow reallocation can be phased. Russ Scott replies the reallocation needs to be done in one step.

Jonathan Reiss summarizes that the current items needed are the financing plan, a decision on the ownership of the lines, and the transfer of flows from Pinecrest to Aqua. The Board adds O&M costs from Aqua and the township's borrowing capacity.

Jonathan Reiss asks if there are alternative plans if Pinecrest and Aqua don't come to an agreement. Wayne Gross replies the current spray irrigation analysis does not show sufficient EDUs. Autumn Canfield asks if Aqua can increase their NPDES permit. Wayne Gross states it would need to be in the 537 Plan. Heidi Pickard states cost scenarios need to be researched. Autumn Canfield states she will. Jonathan Reiss asks Jason Fitzgerald if it matters whether it's the township or the township's authority that owns the lines for funding purposes. Jason Fitzgerald replies no.

5. Act 537 Plan Update – Water discussion. Bob McHale states it is easier to get funding for the water system. Russ Scott states a dry water and sewer system would not require Act 537 approval. This would prevent the township from having to rip up the roads twice. The cost is significant. The new plan is to put in casings instead of lines to save money. This will include additional easements because it needs to be out of the highway improvement area. The increase in width is about 20 feet on each side. Bob McHale states most of the parking in the area is in the front of the property, so almost everything will be below grade. Russ Scott states putting in just the casings now is around \$431,000 for the dry sewer system and around \$372,000 for the dry water system. There are 3 sewer crossings and 4 water crossings. They have submitted estimates and plans to Pennoni for review so nothing gets in the way of the highway improvement. Russ Scott recommends including these items as an alternate plan in the bid; that way the township can decide after receiving the bids whether or not they want to include them. Russ Scott will provide Autumn Canfield with a revised easement plan. Most residents they've talked to about the project are receptive to it. Randy Hoffman's property is the proposed site of a pump station. Phasing the project will increase the overall cost. Russ Scott states RKR Hess completed a feasibility study and a hydrogeologic study at the high school. There are two existing wells and they've drilled two test wells. The wells have

enough capacity to serve the school district and the Pocono Summit West corridor with redundancy. The goal is to acquire the well sources, the easements for them, the lines, and to build treatment systems. The tanks would provide drinking and fire service water. There were some lines constructed along Panther Lane that were enlarged past what the school required. The next step is an agreement with the school district to acquire these items.

Russ Scott states the same transmission line will be used for fire suppression and potable water; there will be enough pressure for residents to put in their sprinkler systems. A high rise hotel would require its own fire pump, but the source capacity and volume are present. The elevated capacity tank will hold 500,000 gallons.

Bob McHale asks about the order of magnitude cost estimate. Russ Scott states \$11.5 million including the dry water portion. Jason Fitzgerald states they've secured part of the funding via a PA Small Water and Sewer grant. Autumn Canfield states there is a cap of \$500,000. Autumn Canfield states the money for the casings is not secured. Jonathan Reiss asks about the money owed to the school district for the emergency work. Jason Fitzgerald states that can be applied to the grant. The multimodal grant included the casings. Bob McHale states the water and sewer can be done as separate projects. Autumn Canfield will work with Jason Fitzgerald to create a funding plan. Jason Fitzgerald states the township needs to use the current grant money before applying for more.

Anne Lamberton states the Board will enter executive session immediately after the meeting to discuss real estate and legal matters regarding Pocono Mountain School District.

Jonathan Reiss asks if the additional uses of recreational vehicle sales and service requested with the renaming of the MUTCD to TDPD are amenable. The Board states yes.

6. Public Comment

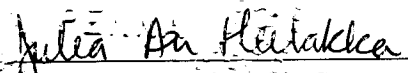
- a. Bob Heil of the Brodhead Watershed Association thanks the Board for this meeting.

7. Meeting adjourned at 9:04 AM.

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Minutes recorded by Matthew Helbers

Respectfully submitted:

  
Julie Heilakka, Township Secretary