

BOROUGH OF WESTMONT

1000 LUZERNE STREET • JOHNSTOWN, PA 15905-2508

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August 10, 2016

The Honorable Thomas Wolfe
Governor, Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

The Honorable John Wozniak
Senator, Commonwealth of Pennsylvania
2307 Bedford Street
Johnstown, PA 15904

The Honorable Robert Casey
United States Senator
Grant Building
310 Grant Street, Suite 2415
Pittsburgh, PA 15219

The Honorable Bryan Barbin
Representative, Commonwealth of
Pennsylvania
413 Main Street
Johnstown, PA 15901

The Honorable Keith Rothfus
United States Representative
110 Franklin Street, Suite 150
Central Park Complex
Johnstown, PA 15901

The Honorable Frank Burns
Representative, Commonwealth of
Pennsylvania
535 Fairfield Avenue
Johnstown, PA 15906

The Honorable Patrick Toomey
United States Senator
1397 Eisenhower Boulevard
Suite 302
Johnstown, PA 15904

**Re: Borough of Westmont, Cambria County,
and Pennsylvania Department Of
Environmental Protection**

Gentlemen:

Since 1988, the Pennsylvania Department Of Environmental Protection (DEP) has required Westmont Borough and surrounding municipalities to implement corrective action plans to eliminate Inflow and Infiltration into its Sanitary Sewer System. Westmont Borough has complied. Despite the system wide smoke and dye testing and the corrective actions that were taken, the inflow and infiltration has not been reduced. Building sewers and sewer mains are not water tight. By letter of April 16, 2008, the Pennsylvania Department of Environmental Protection (DEP) mandated that the 20 municipal sewer systems that contribute sewage flows to the Johnstown Wastewater Treatment Plant eliminate Sanitary Sewer Overflows (SSO's) by no later than June 30, 2021.

The Honorable Thomas Wolfe
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The Honorable Patrick Toomey
The Honorable John Wozniak
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The Honorable Frank Burns

Page 2

August 10, 2016

Westmont Borough's system, like the other municipal systems, receives more rain and groundwater than it can convey to the Treatment Plant. Further, the Treatment Plant is receiving five times the amount of flows than it was designed to treat.

The mandate consists of the following:

- 2008 Phase I – Sewer System – evaluate and repair
- 2011 Phase II – Measure flows and discharges (intermunicipal flow metering)
- 2013-2017 Phase III -- Design and construct new or expanded conveyance, equalization and treatment facilities

DEP reserved all legal, equitable and administrative rights to require compliance with the mandate, including the right to abate the SSO's as nuisances and to assess civil penalties (by Complaint) for the SSO violations. Westmont Borough has done everything in its power to insulate its Mayor, Councillors and its customers from said punitive actions.

Despite all previous efforts to eliminate the SSO's, the Borough, nevertheless, was required to enter into a Consent Order and Agreement with DEP dated December 9, 2014, in order to mitigate the penalties and sanctions resulting from violations of the Clean Streams Law. The Consent Order and Agreement has required the Borough to eliminate all SSO's by June 30, 2021, and adopt Rules and Regulations requiring its customers to submit to water pressure testing, low air pressure testing or close circuit television inspection for each property being sold and as each segment of the rehabilitation project is successfully completed by the Borough.

The net result is 2,232 Borough customers are under tremendous financial strain.

In February and April of 2015, Westmont Borough received Funding Officers for Phases 1 and 2 from the Pennsylvania Infrastructure Investment Authority ("Pennvest") in the amount of \$15,702,400, for the rehabilitation, repair or replacement of approximately seventeen miles of sewer mains, manholes and public laterals within its right of way to a point at or near the property line of its respective 2,232 customers, 99% of which are residential. Despite the Pennvest funding, the Borough received no grants or other financial assistance. The annual debt retirement for Phases 1 and 2 of the Pennvest loans, along with its existing Pennvest loan, is \$889,314 for 27 years. The project shortfall is estimated to be another \$1,700,000. The Borough's total revenues for 2016 are \$3,400,000.

The Honorable Thomas Wolfe
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The Honorable Patrick Toomey
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The Honorable Frank Burns
Page 3
August 10, 2016


The Borough has been forced to increase the sewer rental rates by 400%. As another condition to accepting the Pennvest loans, the Borough has also been forced to contribute \$1,740,000 from its funds from all other operations to the project. The minimum annual burden to the customers of Westmont Borough for sewer rental and sewer treatment is approaching \$1,000. The Borough bills on a consumption basis. The customers' estimates for Building Drain and Building Sewer rehabilitation from the Building Drain to the public lateral has ranged anywhere from \$3,500 for the 800 to 1,000 square foot bungalows to as much as \$80,000 for the 2,000 to 3,000 square foot, slab-on grade with radiant heat, single-family residential homes. The residents of Westmont Borough, like the residents of Greater Johnstown, are suffering from high unemployment, population loss, a disproportionate amount of senior citizens and diminution of fair market value of homes, and are in an extremely financially distressed state. Hundreds of homes in Westmont Borough are for sale and/or vacant. In addition, Westmont Borough is located within the Westmont Hilltop School District which has the highest real estate tax levy in Cambria County.


The residents and customers of Westmont Borough have the support of Westmont Borough Council and its Mayor in asking for your assistance in finding grants and/or low interest loans to assist the Borough residents and the governing body in complying with these unfunded mandates.

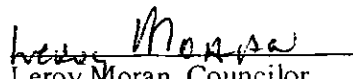
We anticipate your cooperation in advance and look forward to hearing from you as soon as possible. In the meantime, we invite you to attend one of our regularly scheduled meetings. We meet at 7 p.m. on the second Tuesday of each month at the Borough building located at 1000 Luzerne Street, Johnstown, PA 15905.


Very truly yours,



Don C. Hall, II, Council President

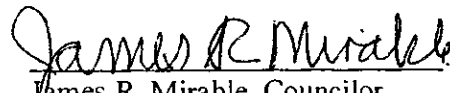

Lee E. Williamson
Council Vice-President


Marc McCall, Councilor


Leroy Moran, Councilor


Robert J. Callahan, Mayor


Thomas Gramling
Council President Pro Tem


James R. Mirable, Councilor


Kevin Schrock, Councilor