

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, May 2, 2016

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:05 PM in the public meeting room of the Upper Saucon Township Water and Sewer Department office building, 4774 Saucon Creek Road, Upper Saucon Township, Lehigh County, PA.

NOTIFICATION:

All public sessions of the Upper Saucon Township Municipal Authority are electronically recorded. The recordings are maintained as part of the record of the meeting until the minutes are transcribed and approved by the Authority.

MEMBERS PRESENT:

Bruce Bush – Chairman
Mindy Moore - Vice Chairwoman
Joaquin (Jack) DeMatos - Secretary
Ronald Reybitz - Asst. Secretary and Asst. Treasurer
Mark Sullivan – Treasurer

STAFF PRESENT:

Gary A. Brienza, Esquire, Solicitor
Karl E. Schreiter Jr. P.E., Engineer
Chris Cope, UST Director of Water and Sewer Resources
John Guignet, UST Assistant Director of Water and Sewer Resources

VISITORS:

None

PUBLIC COMMENT:

None

MINUTES:

A motion was made and seconded to approve the meeting minutes for May 2, 2016 with the following revision:

- Under Solicitors Report, page 5698, it should read “She knows of an AQC (age qualified community) where homeowners need to pay to move in or move out. Mr. Brienza said he does not think the Mountain Glen HOA is that severe.

Motion passed unanimously.

CORRESPONDENCE COMMENTS:

Authority members may comment on the correspondence packets or the “Summary” which they received.

Date list was prepared or amended: 4/21/2016, 4/22/2016, 4/28/2016

Date of letter: 4/4/2016

Letter from: Gary Brienza, Solicitor (e-mail)

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Letter sent to: Bruce Bush

Subject: Katzbeck Sewer vs. Blue Belle Easement Agreement

(This e-mail forwarded e-mails regarding Blue Belle Easements and the Katzbeck household at 1353 Spring Valley Road and \$850 due the Katzbecks)

Date of letter: 4/5/2016

Letter from: Gary Brienza, Solicitor (e-mail)

Letter sent to: Tom Beil, UST

Subject: Weyhill Estates / Katzbeck Sewer Easement

(This e-mail forwarded e-mails regarding the subject. An e-mail from Joe Piperato, dated 4/4/2016, stated that he talked to Dennis and will call Mike Dougherty and propose they each pay half.)

Date of letter: 4/5/2016

Letter from: Gary Brienza, Solicitor (e-mail)

Letter sent to: Tom Dinkelacker, DDA

Subject: Mountain Glen

I think that Patricia Lang's e-mail from last week is accurate in that Heritage Conservancy should be contacted regarding the status of easements (both for access and any other legal/recording issues) in order to allow for Chris's people to do their work onsite. Assuming you agree, who is going to be the one to start contacting Heritage?

Date of letter: 4/5/2016

Letter from: Tom Beil, UST (e-mail)

Letter sent to: Tom Dinkelacker and Gary Brienza

Subject: Mountain Glen

(Attached) is the easement plan for the subject. The easement plan is part of the approved plan set. The plan shows various sewer and utility easement in the open space.

Date of letter: 4/5/2016

Letter from: Tom Dinkelacker (e-mail)

Letter sent to: Tom Beil and Gary Brienza

Subject: Mountain Glen

Vickie will obtain the Heritage Deed so that we can see what the "subject to" language encompasses. Keep in mind that Mr. Arronyo is active with the HOA in Mt. Glen.

Date of letter: 4/5/2016

Letter from: P Lang, UST (e-mail)

Letter sent to: Tom Dinkelacker, Tom Beil and Gary Brienza

Subject: Mountain Glen

Not certain the HOA and the Heritage Conservancy have any direct relationship.

Date of letter: 4/5/2016

Letter from: Tom Dinkelacker (e-mail)

Letter sent to: P Lang, Tom Beil, Gary Brienza

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Subject: Mountain Glen

I'm sure they don't, but we need to contact both groups to resolve the issues. Also, Vickie is forwarding the Heritage deed to everyone.

Date of letter: 4/11/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: Chris Cope, UST

Subject: Request for Quote

(This e-mail forwarded an e-mail from Karl to "info@engconst.net regarding a RFQ to install a concrete dump station at UST WWTP.

Date of letter: 4/11/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: Wes Paving and Concrete Inc

Kunsmann Paving

Hillegass Concrete

Subject: RFQ

(Attached) is an RFQ to install a concrete dump station at the UST WWTP.

Date of letter: 4/12/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: Chris Cope, UST and others

Subject: Quarterly CAP Status Report

(Attached) is the quarterly status report for the SBI CAP. Two copies of this report must be sent to PADEP by 4/30/2016.

Date of letter: 4/14/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: James Illigash, Pennoni

Subject: Locust Valley Golf Course --- Traditions of America

See my (attached) letter. It explains what is required if Brinley Court does not begin before your subdivision.

(Note: the letter that was attached was a letter dated 1/19/2016 from Karl to Bruce Bush; Subject --- South Branch Interceptor Corrective Action Plan.....Revised Sewer Connection Plan)

Date of letter: 4/18/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: Tom Dinkelacker and others

Subject: Stabler Lot #10

Placed a call to J. Ridgik to follow-up on our letter regarding the subject. Jim said he received the letter. No one reviewed it due to a major EHB hearing that is scheduled to start tomorrow. Everyone is preparing for the hearing. I will attempt to follow-up next week when I return from vacation.

Date of letter: 4/25/2016

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Letter from: Karl Schreiter, SEA
Letter sent to: Patricia Lang, UST
Subject: Borough of Coopersburg
Cooper Farm Subdivision Phase 2

We reviewed the PADEP Sewage Planning Module for the subject and it was dated 4/13/2016.

Subdivision will be built in the Borough along Gun Club Road between West State Street and Mill Road. It will consist of 31 residential units.

The module includes the approval of the USSTA and USTMA at their November 2015 meeting. Since the data associated with the connections to the Township system have no changes, no further action will be required by the USTMA and USSTA.

Date of letter: 4/25/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: Planning at UST and others

Subject: Cooper Farms - Phase 2 - Planning Module Review

(this e-mail provided a link to get the full e-copy of the planning module for the subject. It is 142 pages long.

Date of letter: 4/25/2016

Letter from: G Brienza, Solicitor (e-mail)

Letter sent to: Tom Beil, UST

Subject: Benckini

(Gary thanked Tom for the update "that there is nothing new to report")

Date of letter: 4/26/2016

Letter from: Karl Schreiter, SEA (e-mail)

Letter sent to: M Preston, Liberty Engineering

Subject: Sacred Heart Senior Living

The sewer easement looks fine to me. There may be some overlap with the easement for the existing sewer that was built in the 1990's.

Plan should note that the easement will be dedicated to the USTMA.

Date of letter: 4/26/2016

Letter from: Tom Dinkelacker, DDA (e-mail)

Letter sent to: Karl Schreiter and M. Preston

Subject: Sacred Heart Senior Living

When we reach the point of a bill of sale for the sewer line, I will prepare a deed of easement and agreement. It is my understanding that this will be for a sewer main in a private road and other private property.

*****end of correspondence for May meeting

Concerning the pump station, Mr. Sullivan asked where the refuse was going before. Mr. Schreiter said it was going right into the pump station. It was just an easier way to empty the tank.

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Mr. DeMatos asked for an update on the sewer easements in the Mountain Glen subdivision. Solicitor Brienza said the sewer was supposed to be dedicated to the Township but never was. It is under the homeowners association. He said after seeing pictures, the Township will not take dedication as is. He recommends the homeowners association deal with the issues.

Mr. Schreiter said they need to make some changes that include moving mailboxes. The developer did not take note of where the sewer easements were. Mr. DeMatos said the developer knows where they are but ignored them. Mr. Cope said there are sewers in the rear of the development that do not have access. He added that the property owners probably do not know they are on a sewer easement and need to be told.

SOLICITOR'S REPORT:

The Solicitor's Report dated May 2, 2016 was presented by Solicitor Brienza.

Solicitor Brienza said he still has not heard any news concerning the Brinley situation. Mr. Schreiter said they thought Brinley would build first but Traditions of America/Locust Valley will build first. Mr. Schreiter said that just today he found out Brinley is telling TOA that they have to put in the force main to Gun Club Road. They are trying to get TOA to do more sewer work than they are required to do. Mr. Cope said he thinks TOA is catching on to Brinley because they are telling them something different than what the Township wants them to do.

On the Benckini lawsuit, Mr. Brienza spoke with Tom Beil on Friday. He said there have not been any updates from counsel. They are not sure why there has been no update from court.

Solicitor Brienza let the Authority know that they need to schedule a third and final meeting on the tapping fee ordinance. Everything should be complete by the end of May.

Mr. Brienza said that Chris Cope and John Guignet found the location of some of the lines in the Mountain Glen subdivision are not accessible. Solicitor Brienza, Mr. Schreiter, Mr. Cope, Tom Beil, Patricia Lang and Solicitor Dinkelacker met about the significant concern that homes were built in the sewer easement. Mr. Cope took pictures to present at this meeting. The developer or homeowners association needs to make modifications or the Township will not accept dedication. Ms. Lang is going to check if the homeowners association is still in existence. Solicitor Brienza is going to request a follow-up meeting to discuss.

Solicitor Brienza explained that it is not the Township's responsibility to make corrections but the Township will probably will have to deal with it and surcharge the developer. Mr. Bush asked what happens if there is an issue in the inaccessible area. Mr. Brienza said it is not the Township's responsibility because a driveway was built on

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the easement. Mr. DeMatos added that the homeowners should be informed and they may want to go after the developer.

Mr. Cope said they found six buried manholes. One was buried two feet deep and the homeowner never knew it was there. A letter was sent to them to let them know that it needs to be accessible. Mr. Guignet added that they found two manholes under paved driveways.

Ms. Moore asked if any HOA money is available. Solicitor Brienza is unsure but he suspects there is very little money available. He added that if there are funds, they would probably be used for snow removal and mowing. Mr. Cope said there are about forty homes in the development. Ms. Moore asked if they have a charter to operate. She knows of an (AQC) age qualified community in Macungie where homeowners need to pay to move in or move out. Mr. Brienza said he does not think the Mountain Glen HOA is that severe. Mr. DeMatos replied that this issue falls on the developer, not the homeowners association.

Solicitor Brienza discussed the meeting on the 52 properties with the Authority. He said 15-20 people attended. He said the public had good questions but there were some misconceptions that the issue was about expanding the sewer, not about the existing sewer. He said the public calmed down after this was explained. Mr. Brienza relayed that Mr. Beil thinks the best way to deal with the issue is to address it at the time of sale or transfer. There was no clear answer of what the next step is. Mr. Cope said he thinks the next step is for the Township to send a letter to the 52 telling them the sewer is in their area and they can voluntarily connect at this time. The letter mentions that the tapping fee may increase in 2017. Mr. Cope explained that he drafted the letter and forwarded it to Mr. Beil last week.

ENGINEER'S REPORT

Karl Schreiter, PE, presented Engineer's report dated April 29, 2016.

Mr. Schreiter said that the Sunset Drive/Ackerman's Lane sewer design is moving forward and he has a meeting with Hanover Engineering tomorrow.

Mr. Schreiter is still waiting on the DEP's approval letter for the North Branch Interceptor Design. It has been two months now. He suggested that Mr. Beil call the State Representative's office to complain. Mr. Beil said to wait a few more weeks.

Mr. Schreiter asked the DEP for an update regarding the WWTP pump station available capacity. They said they still need to do some major research. Mr. Schreiter left another message today.

SUPERINTENDENT'S REPORT:

Mr. Cope said his staff is doing manhole rehab.

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He added that they received their own point repair equipment. There will be training this week so staff will be able to do their own point repair.

TREASURER'S REPORT:

Treasurer Mark Sullivan submitted the report. He confirmed that the stipend is \$30 post-2013. Mr. Reybitz and Mr. DeMatos were reappointed after 2013 therefore their stipend is \$30, not \$20. Mr. Sullivan said if any back pay is due he will take care of it at tonight's meeting. He issued Quarter 1 checks tonight for a total of \$360. Quarter 2 checks will be written at the next meeting.

Motion was made and seconded to approve the treasurer's report as presented.

Motion passed unanimously.

MOTION (S):

None

UNFINISHED BUSINESS:

A. Unconnected Sewer Analysis

Reference SEA's letter dated 1/8/2014. Study identified 53 potential properties that should be connected to the sanitary sewers. Update of the status of the letter that the Authority recommended be sent to the "53".

An update on the meeting which was held to discuss policy on public sewer connections. Meeting was held on Wednesday, April 13 at 2 PM at the Township Building. Bruce, Mindy, Chris, Karl and Gary attended the meeting.

B. Sewer Tapping Study – update

NEW BUSINESS:

None

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, June 6, 2016 @ 6:00 PM at the Water and Sewer Building.

ADJOURNMENT:

With there being no further business to discuss, the meeting of the Upper Saucon Municipal Authority was unanimously adjourned at approximately 6:54 pm.

Respectfully submitted,

Jack DeMatos
Secretary