

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, May 5, 2015

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:10 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 Sewage Treatment 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 – arrived at 6:20 p.m.

MEMBERS ABSENT:

George Thomas - Treasurer

STAFF PRESENT:

Gary 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

Tom Beil, UST Township Manager

Tom Dinkelacker, Esquire, UST Solicitor – arrived at 6:25 p.m.

VISITORS:

Bruce Bednik, concerning his lot at 6660 Faith Avenue

PUBLIC COMMENT:

Mr. Bednik asked for a status update on the sewer connection he needs for his lot at 6660 Faith Avenue.

Solicitor Brienza said there is not much change since the last Municipal Authority meeting. He explained that later in tonight's meeting the Board will vote on approving the Revised Sewer Connection Plan that would allow for more connections. If approved, the plan will be submitted to the DEP for approval. If they approve, a connection will be available for Mr. Bednik's property. If the DEP does not approve, it will take roughly one year until a sewer connection is available for the property. Due to the way the agreement with Brinley Developers is drafted, the Township is unable to take an EDU from the seven allotted to them.

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MINUTES:

A motion was made and seconded to approve the meeting minutes for January 12, 2015 with the following amendments proposed by Ms. Moore:

Regarding Brinley Easements, Atty. Brienza stated Brinley developer was seeking to get waivers from the Off Line Flow Equalization by obtaining edu's from Locust Valley Golf Course (LVGC). Mr. Schreiter explained LVGC has been allotted 122 edu's. Robert Ashford (LVGC) wanted to propose a conservation easement to restrict development for parts of the land. According to Mr. Ashford's proposal, this would be a benefit to Coopersburg Borough and Brinley Court. This would require Coopersburg Borough, Brinley Court and Upper Saucon Township to contribute money totaling two million dollars for a conservation easement. Gary Brienza and Tom Beil concluded that a specific and comprehensive proposal should be placed on the table to create a framework for expedited discussions leading to the purchase of development rights/conservation easement on the LVGC. Mr. DeMatos explained the Upper Saucon Township Board of Supervisors did not have a recent appraisal of Locust Valley Golf Course because Mr. Ashford refused the idea of a new appraisal. At that point, the owner of the LVGC decided he wanted to sell LVGC to developer. Atty. Brienza explained there will be a meeting with Brinley developer and Upper Saucon Township Manager, Tom Beil and USTMA staff.

Motion passed unanimously.

A motion was made and seconded to approve the meeting minutes for April 6, 2015. Motion passed 3-0 with Ms. Moore abstaining.

CORRESPONDENCE COMMENTS:

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

Upper Saucon Municipal Authority Correspondence for May Meeting (NOTE: This is a summary of the correspondence prepared by the Chairman. Details must be obtained by reading the actual correspondence)

Date list was prepared - 4/22/2015, 4/23/2015, 4/24/2015, 4/27/2015

Date of letter: 4/7/2015

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

Letter sent to: Tom Beil and Tom Dinkelacker and others

Subject: Sewer Connection Plan (SCP)

There was significant discussion last evening regarding the subject which Karl had prepared for submission to DEP. There were strong concerns about the plan and ultimately the impact upon the sewage treatment plant (and the need for expansion of same) if the connection plan was enacted. After about 30 minutes of discussion, the Chairman called for a member of the board to present a motion to adopt the sewer connection plan. No one spoke up to propose or offer such a motion so the plan was

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not adopted. Since there was no motion proposed, no motion was seconded and no vote was taken.

Date of letter: 4/7/2015

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

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Brinley Agreement / 7 connections

Bruce Bendick owns the lot on 6660 Faith Ave and was in the process of building on it. Last week his request for a building permit was rejected due to a lack of capacity to allocate a connection to him for public sewer. There are no more available connections in that area due to the 7 that were promised to Brinley. Jack DeMatos suggested that since Brinley has not done anything with the 7 connections that they wanted so they could construct the first phase of their projected development perhaps the agreement with Brinley could be "rescinded" or otherwise terminated. I raised the suggestion that perhaps Brinley would be willing to relinquish or surrender one of those 7 so that the individual could proceed to obtain his building permit. I suspect you would either know better if this was remotely possible factually or legally per the current agreement, your comments please. I promised to contact the lot's owner/engineer to provide an update.

Date of letter: 4/7/2015

Letter from: Tom Dinkelacker, L V Law Practice (e-mail)

Letter sent to: Gary Brienza

Subject: LVGC

Meeting tomorrow with TOA. May be an agreement of sale (not certain), but I would not be surprised to learn that it is conditioned upon receiving an AQC overlay as this is TOA's specialty. We will know more after our meeting and I will let you know. (This e-mail was in response to Gary's inquiry regarding status with LVGC and the question of is it true that it has been "sold" to TOA)

Date of letter: 4/7/2015

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

Letter sent to: Gary Brienza

Subject: LVGC

Property is under agreement of sale with TOA.

Date of letter: 4/7/2015

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

Letter sent to: R Miller, Livengood Excavators

Subject: Oakhurst Drive Low Pressure Sewer - Change order #1
(Attached) is executed Change Order #1.

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Date of letter: 4/7/2015

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

Letter sent to: D Gombosi, UST

Subject: Oakhurst Drive Low Pressure Sewer / Payment Request #1 and 2

Process the payment requests.

Date of letter: 4/9/2015

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza

Subject: LVGC

Met yesterday with TOA. TOA is considering a 125 unit AQC development in the UST portion of the LVGC and about 15 building lots in Springfield on on-site sewer. By contrast, McGrath wanted a 200+ unit AQC in UST alone.

TOA will not be applying for an AQC overlay under the zoning ordinance which would give them the ability to build at a higher density. Instead it appears that they are building according to the traditional conservation design requirements of the zoning ordinance for R-2 development, hence the lower density and conformity with our sewer connection plan. This is likely close to a "by-right" plan. I think the sketch plan will appear on an upcoming PC agenda. I don't think that TOA is interested at this time in partnering with Brinley, primarily because of the difference in timing of the projects.

Date of letter: 4/10/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Weyhill Estates

Review of video inspection

We reviewed videotapes from a television inspection of repairs made to the sanitary sewers of this subdivision. The inspection and repair was conducted on 3/3/2015 by National Water Main Cleaning Co.

A repair was completed about 6-10 feet from MH #BB2 (Rainlilly Drive). The coating on ductile iron pipe was found to have chipped from the surface. A fiberglass insert was installed at this point. The repair is satisfactory.

Date of letter: 4/10/2015

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

Letter sent to: M Waldron, Ott Engineering

Subject: HMB Management - Planning Module Review

I'm not sure it was approved by the Authority. If not, I will bring it up at the meeting in May.

This is a UST Module and does not go to PADEP. The allocation for this project come from the original 500,000 gpd allocation for Stabler properties that was included in the

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1985 Act 537 Plan. It is part of the overall Stabler Business Park planning module that was approved by PADEP in the 1990's.

Date of letter: 12/31/2014 (Resent by K Schreiter via e-mail on 4/10/2015 with note.....we missed this item at the January 2015 meeting)

Letter from: Karl Schreiter, SEA

Letter sent to: Sharyn Heater, UST

Subject: HMB Hotel Complex

We reviewed the Township Planning Module for the Hotel and Banquet Center as prepared by Ott Consulting Inc., dated 12/10/2013.

Proposed facility will be located along Center Valley Parkway. The project will consist of a 5-story hotel with 109 rooms and an 8040 sf banquet facility

Wastewater generated by this project will be serviced through the North Branch Interceptor.

Estimated additional sewage flows from the project will be 13,512 gpd. This represents 60 edu's. Currently there is no method for verification of the projected water use.

Therefore, the Township should monitor future water use at the building to assure that usage is below the allocated quantities shown in the planning module.

Currently there is allocated treatment plant capacity for providing sewer service to this area of the Township.

Sewer flows would be part of the allocation for the Stabler properties as outlined in the UST current Act 537 Plan.

We concur that there is sufficient conveyance and treatment capacity to process wastewater generated by this subdivision. We recommend that the USTMA and USSTA approve this module.

Date of letter: 4/14/2015

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

Letter sent to: Bruce Bush

Subject: Oakhurst Low Pressure Sewer Contract Documents

(Attached) are contract documents as received from the contractor.

Date of letter: 4/14/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: HMB Management - Hotel and Banquet Facility Capacity Certification

We reviewed the PADEP Request for Planning Exemption as prepared by Ott Consulting Inc. dated 4/13/2015.

Based on the projections in the letter, the estimated additional sewage flows from the subdivision will be 13,512 gpd. This represents 60 edu's.

Currently there is sufficient capacity to provide sanitary sewer service to this subdivision and there is allocated treatment plant capacity for providing sewer service to this area of UST.

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We recommend that UST execute the PADEP Application Form and forward to PADEP for further action.

Date of letter: 4/14/2015

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

Letter sent to: Bruce Bush, Chris Cope, Tom Dinkelacker, Tom Beil, and Gary Brienza

Subject: Summary letter for SCP Report

I prepared a summary letter regarding SCP discussion at our meeting on 4/13. Review and provide comments.

(Note: the "draft" of the letter was enclosed)

Date of letter: 4/14/2015

Letter from: Tom Dinkelacker, LW Law Practice (e-mail)

Letter sent to: Tom Beil, UST

Subject: April 2008 Sewer Connection Plan report by SEA

Attorney Client Privileged Communication

(Tom D. reported on the meeting held to discuss the subject and the Authority's rejection of the same. This letter is a synopsis of the meeting, our conclusion and Tom's recommendations / observations.)

Date of letter: 4/14/2015

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

Letter sent to: Tom Dinkelacker and Tom Beil

Subject: April 2008 Sewer Connection Plan report by SEA

I agree with Tom's factual recitation as well as his analysis/opinions.

Date of letter: 4/20/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: HMB Management Hotel Complex

Preliminary / Final Plan Review

We reviewed the document dated 10/10/2013 with revisions through 4/18/2015.

Karl's comments were:

Sanitary sewer note must change from 42-L to 42-R

All sewer segments including lateral that are in excess of 15 feet deep must use epoxy coated ductile iron pipe.

Sewer segments have slopes that result in sewage velocities in excess of 10 feet per second. Ref: Building MH#2. Velocity cannot exceed the maximum of 10 feet per second. These high velocities may cause sewage solids to remain in the sewer pipe and increase maintenance costs in these segments.

Access ports must use manhole covers cone and barrel sections to bring the opening to grade.

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Developer must submit an updated Wastewater Discharge Permit application to reflect the grease interceptor shown on the plans.

Date of letter: 4/21/2015

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Karl Schreiter, SEA

Subject: TOA - LVGC Draft Review of Sketch Plan

Can a developer of the LVGC use the Brinley Court Tank, if expanded?

Also, can the developer tie into a Brinley line, if built as a by-pass through the Borough, as was discussed several months ago with the Brinley folks?

Date of letter: 4/21/2015

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

Letter sent to: M Waldron, Ott Engineers

Subject: HMB Cost Estimate Review

You will have to update the cost estimate for comply with the changes I requested in my plan review letter. The big change must reflect the cost of DIP pipe for the deep sewers shown on the plans.

Date of letter: 4/21/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: Locust Valley Country Club / Traditions of America

We reviewed the TOA Locust Valley Golf Club Concept Plans as prepared by Victor-Wetzel Associates Landscape Architects dated 3/23/2015.

Proposed subdivision should use the existing sanitary sewers located in Locust Valley Road. However, this area of the UST discharges to the Borough of Coopersburg's collection system and is currently part of the on-going CAP for the SBI.

The SCP has allocated 125 units to be built on the Locust Valley Golf Club property.

Current SCP requires that a flow equalization facility be built to store sewage during wet weather events that overload the sewer collection system. Due to capacity limitation in the Borough collection system, the Developer would need to construct a pumping station to transport the sewage to the gravity sewer located in Gun Club Road. This would eliminate any issues that would arise with the Borough's collection system.

If the analysis now under way by the Township and USTMA indicates that additional carrying capacity is available in the system that would allow the elimination of flow equalization facilities under certain conditions. However, the Developer would still need a pump station to transfer sewage to Gun Club Road.

Date of letter: 4/21/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: HMB Management Hotel Complex

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Construction Cost Review

We reviewed the Engineer's Opinion of Probable Construction Costs for the subject dated 4/16/2015.

The costs are as follows for the sanitary sewer portion of the project:

Construction cost --- \$ 46,713.00
Contingency cost --- \$ 9,343.00
Total \$ 56,056.00

We concur that the estimates as presented can be used as a basis for escrow funds required by the Developer's Agreement with UST and the Authority.

Date of letter: 4/21/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: HMB Management Hotel Complex

Preliminary / Final Plan Review

We reviewed the subject dated 12/1/2013 with revisions through 4/21/2015.

Have no comments on sheet 10 of 23, Profile Plan and sheet 12 of 23, Details Plan.

Developer must still submit an updated Wastewater Discharge Permit Application to reflect the grease interceptor shown on the plans.

Date of letter: 4/22/2015

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

Letter sent to: Bruce Bush

Subject: Revised Procedures for Connection to Sanitary Sewers

(Attached) is a set of revised standards. Have authority members review the standards and if there are no changes needed after discussion at the May meeting we should adopt them.

(Note: A copy of the Standards was mailed to each member of the Authority on 4/23).

Date of letter: 4/22/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Oakhurst Drive Low Pressure Sewer Extension

(Attached) are copies of the following documents as received from the Contractor:

--Contractor's Affidavit

--Contractor's Release

(Attached) is the Weekly Payroll Certifications from L & N Zimmerman Excavation, a subcontractor to Livengood Excavators Inc., for payroll week ending 3/14/2015.

Contractor has certified that they are in compliance with the Prevailing Wages Project Rates as contained in the Contract Documents.

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Date of letter: 4/22/2015

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

Letter sent to: Chris Cope and others

Subject: Please help with UGI at Weyhill Drive Property

(Background Note: Ron Howanich, 1742 Weyhill Drive, Center Valley Pa, wrote to Chris regarding help in providing permission for UGI to place a gas line to his property. The gas line would be installed close to the water and sewer lines.)

Based on the Plans, the sewer and water lines easement are dedicated to the Township. Sewer and Water lines were installed to service both existing properties. A review of the plans indicates that they must get an additional 10 feet easement on one side of our easement from the property owners.

(Attached) is a section of the "as-built" drawings showing the water and sewer lines servicing the property. Drawing shows that the water and sewer line have the 10 foot separation. Therefore, this confirms that there is no room in the USTMA easement for the gas line.

Date of letter: 4/24/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Joanna Slagle, UST

Subject: Proposed Hotel Buildings

Lot 10 - Stabler Center

We reviewed the Sketch Plan for Stabler Center, Lot #10 as prepared by Rettew Associates, Inc. dated 4/22/2015.

Proposed project is located within the existing Stable Business Park located between West Drive and Center Valley Parkway. Project will include construction of an 82,363 sf (132 rooms) hotel building and a 70,750 sf (110 rooms) hotel building. Wastewater will be handled through the North Branch Interceptor.

Plan did not include any flow projections and this data will be needed to determine if sufficient capacity is available to provide sewage to the expansion.

The Authority is planning on rerouting the existing sewer on West Ave. between MH #109 at the intersection of West Ave. and Corporate Parkway. This is needed to address hydraulic issues at MH # 105 located at the intersection of West Ave. and Corporate Parkway. This work would impact the northeast corner of this property. At a minimum, the Township should obtain an easement to complete this work in the future.

*****end of correspondence list for May meeting

SOLICITOR'S REPORT:

Solicitor Gary A. Brienza, Esquire presented his report dated May 4, 2015.

Regarding Center Valley Mobile Home Park, the 42R/L is on hold per Tom Beil because the property owner has recently filed a second bankruptcy. Both Solicitors Brienza and Dinkelacker said not to proceed until Solicitor Brienza can investigate what the Township may legally do now that bankruptcy has been declared. Mr. Beil said that

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Joanna Slagle had a resident complain because the neighbor beside them does not have sewer service and there is a significant blockage. Mr. Brienza said the resident that complained may let Karl Schreiter and Chris Cope on the property but they will not be able to do a proper assessment yet.

Regarding Brinley Easements, Karl Schreiter has no update yet.

ENGINEER'S REPORT:

Karl Schreiter, PE presented Engineer's report dated May 1, 2015.

Mr. Schreiter said that the first homeowner of the Chestnut Hill Road Sewer extension has been connected and he expects that another home will be connected every three weeks.

Regarding the Sunset Drive/Ackerman's Lane Sewer design, it has been determined that the wetlands are more of an issue than previously thought. There may also be endangered bog turtles in the area. Mr. Schreiter said the solution is to put in a pump station to get around the wetlands because it is too expensive to run the sewer through it to get to the sewer connection at Chestnut Hill Road.

Mr. Schreiter presented a more comprehensive Sewer Connection Plan to the Authority that answered the questions and concerns from the April meeting. Mr. Schreiter and Mr. Beil both believe the Township will never use all of the proposed connections. Mr. Bush said he is worried about how the increased connections will affect the treatment plant. Mr. Schreiter explained there are funds allocated in the 2015 budget to complete an analysis of the plant that will help with overflow issues in bad rains.

Motion was made and seconded to approve the Revised Sewer Connection Plan; Ref SEA letter dated April 28, 2015, as presented, as long as a study of overflow at the treatment plant is done.

Motion passed unanimously.

Mr. Schreiter said he recommends the Township Planning Module for the HMB Management Hotel and Banquet Center be approved at this meeting. He explained that it was discussed back in 2013 but was never in the minutes.

The Standard sewer specifications have been updated with a few minor changes such as changing the drawing on the specs, adding more drawings and updating the procedures to reflect these new specs.

Regarding Saucon Crossing Mobile Home Park, it has been sold and will continue as a mobile home park. The new owner plans to update the property.

SUPERINTENDENT'S REPORT:

Mr. Cope said in the past week his staff has repaired four manhole lids, repaired four manhole frames and raised one buried manhole.

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TREASURER'S REPORT:

Assistant Treasurer Ronald Reybitz submitted the report.

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

Motion passed unanimously.

MOTION (S):

A motion was made and seconded to approve the Planning Module for the HMB Management Hotel and Banquet Facility located along Center Valley Parkway.

Ref: SEA's letter dates 12/31/2013.

Motion passed unanimously.

UNFINISHED BUSINESS:

Unconnected Sewer Analysis

Reference SEA's letter dated 1/8/2014. Study identified 53 potential properties that should be connected to the sanitary sewers.

Sewer Tapping Study - update

NEW BUSINESS:

Discuss the Revised South Branch Interceptor Corrective Action Plan (SCP)

ANNOUNCEMENTS:

The next scheduled meeting of the Upper Saucon Township Municipal Authority is scheduled for Monday, June 1, 2015, at 6:00 p.m. in the public meeting room of the Upper Saucon Township Water and Sewer Department office building, located at 4774 Saucon Creek Road, Upper Saucon Township, Lehigh County, PA.

ADJOURNMENT:

With there being no further business to discuss, the meeting of the Upper Saucon Municipal Authority was unanimously adjourned at approximately 7:38 pm.

Respectfully submitted,

Jack DeMatos,
Secretary