

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, January 11, 2016

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:00 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

REORGANIZATION - YEAR 2016:

Motion made and seconded to for the appointments of officers of the Municipal Authority to be the same as 2015 except for Ronald Reybitz will become the Asst. Secretary/Treasurer and Mark Sullivan will become the Treasurer.

Motion passed unanimously.

Motion made and seconded to accept the appointments and meeting dates and times with the amendment of updating the July meeting date to Tuesday, July 5.

Appointments:

Solicitor -Gary Brienza
Firm - Peters, Moritz, Peischl, Zulick, Landes and Brienza

Engineer - Karl Schreiter
Firm - Schreiter Engineering Associates

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Auditor - Reinsel, Kuntz, Leshner, LLP

Meeting Dates and Time:

First Monday of each month with the exception of the July and September meetings which will be held on Tuesday, July 5, and Tuesday, September 6, 2016.

Time of meetings -- 6 PM

Motion passed unanimously.

MINUTES:

A motion was made and seconded to approve the meeting minutes for December 7, 2015.

Motion passed 4-0 with Mr. Reybitz abstaining.

CORRESPONDENCE COMMENTS:

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

Date list was prepared or amended: 12/28/2015, 12/30/2015, 1/4/2016, 1/7/2016

Date of letter: 12/11/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Traditions of America

Phase 2 -- Escrow Cost Estimate Review

We reviewed the Probable Construction Cost Options, Traditions of America, Phase 2 as prepared by Rettew.

Based on our review of these estimates, 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 Authority.

Grand total of the estimate -- \$ 184,554.19

Date of letter: 12/11/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: High Hotels, LTD -- Stabler Lot 10

Sewer Capacity Request

We reviewed the letter from J. Harman of Rettew dated 12/7/2015.

Based on the data provided in the letter, they estimate that annual average flows from this facility to be 29,832 gpd. This projection is based on actual water use records from a similar facility. Estimated peak hydraulic loading from this addition would be 119,200 gpd in the collection system and 74,500 gpd in the North Branch Interceptor. Based on the Township equivalent dwelling unit (edu) flow of 226 gpd/edu, this projected flow represents 132 edu's.

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Sewage flows from the proposed complex would b part of Stabler Land Co.'s flow allocation of 500,000 gpd in the existing treatment facility. Stabler has a sewage allocation to provide service to this project. There is sufficient allocated treatment plant and conveyance capacity for providing sewer service to this area of the Township. Developer must submit a Township Planning Module that must be approved by the USTMA and USSTA. Developer must also submit an Industrial Pretreatment Program Wastewater Discharge Permit Application to document if either facility will have restaurant facilities or other cooking facilities.

Date of letter: 12/21/2015

Letter from: The Authorities

Letter sent to: Municipal Authorities

Subject: Bidding thresholds for 2016 (Eff. 1/1/2016)

The bidding thresholds for 2016 will be the same as 2015.

- Purchases and contracts below \$10,500 require no formal bidding or written/telephonic quotations
- Purchases and contracts between \$10,500 and \$19,400 requires three written/telephonic quotations
- Purchases and contracts over \$19,400 require formal bidding

Date of letter: 12/18/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Thomas Beil, UST

Subject: Review of Tapping Fee Charges

We reviewed the following charges associated with the tapping fees:

- Customer Service Fee
- Connection Fee

We recommend the following cost be used for this fee:

- Lateral inspection (private inspection service ---- \$ 300.00
- Township Staff costs ----- \$ 100.00
- Total ----- \$ 400.00

Connection Fee

Following fee is recommended if the property owner utilizes a private contractor to install the sewer lateral:

- Township installs saddle connection ----- \$ 400.00
- Inspection of lateral installation----- \$400.00
- Total----- \$800.00

Following fee is recommended if the Township installs the sewer lateral in an area that is not in a roadway:

- Total cost per lateral installation----- \$1200.00

Following fee is recommended if the Township installs the sewer lateral in an area that is in a roadway:

- Township installs sewer lateral----- \$1200.00

Roadway restoration ----- \$1000.00

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Total cost per lateral installation -----\$2200.00

(Note: a copy of this letter was provided to each member of the Authority)

Date of letter: 12/18/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Thomas Beil and others

Subject: Revised Tapping Fee Misc. Charges

[Regarding the 12/18 letter on subject sent to Tom Beil] We increased the Customer Service Fee from \$300 to \$400. This increase will cover a third final inspection to confirm that all facilities have been installed properly. Based on our past experience, the plumber and/or homeowner has not completed the work associated with lowering cleanouts and installing the metal covers over the cleanouts where required. A final inspection will assure that this work has been completed. D. Busch's report must be revised to show these new costs.

Date of letter: 12/18/2015

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

Letter sent to: Karl Schreiter, SEA

Subject: Revised Tapping Fee Misc. Charges

Due to our recent experiences in South Whitehall do you recommend any substantive changes to our tapping/connection ordinance?

Date of letter: 12/18/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: High Hotels, LTD - Stabler Lot 10

Review Township Planning Module

We completed our review of the following items:

--Letter from J. Harman of Rettew dated 12/17/2015

--Township Planning Module as prepared by Rettew and dated 12/17/2015

(Same information as appeared in the 12/11/2015 letter on this project)

Date of letter: 12/21/2015

Letter from: Gary Brienza, Solicitor

Letter sent to: Bruce Bush

Subject: Brinley Court Meeting with UST on 1/7/2016

FYI

(Meeting will take place on Thursday 1/7/2016 at 1:30 PM)

Date of letter: 12/21/2015

Letter from: Gary Brienza, Solicitor

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Revised Tapping Fee Misc. Charges

Karl and I have been dealing with an unrelated matter in South Whitehall Township.....essentially the BOA there charge a very significant tapping fee to an already existing business when that business remodeled and relocated an already

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existing connection to another place on their property....we have been fighting to get that tapping fee money back. We have come across some odd verbiage in the South Whitehall ordinances regarding tapping fees/expanded facilities....as well as the methodology they use to calculate the amount of the tapping fee. I was wondering if our difficulties there have caused Karl to consider/reconsider if UST ordinance could be or should be modified in any way to address potential loopholes or problems since we are keenly aware of the oddities in SWT. I do not believe we would have any possible issues from a dollar calculation standpoint but I want to ensure we do not have any procedural issues.

Date of letter: 12/21/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Thomas Beil, UST

Subject: Liberty Village - Review of Sanitary Sewer Final Inspection

A final inspection of the subject system was completed by the Staff during the week of 12/14/2015. Inspection was conducted under the direction of our office. Inspection included Yorktown Road, Delaware Crossing, Saratoga Lane, Bunker Hill Drives -- North and South, and Valley Forge Drive. Concord Way was previously inspected. The following improvements are not approved as complete:

- Sewer Lateral Cleanouts
- Sanitary Sewer Manholes
- Sanitary Sewer Mains

The Developer should provide a schedule (within 10 days) to the Township, Pidcock's office and our office for the completion of the punch list and notify Jeffrey Matyus of Pidcock a minimum of 48 hours prior to starting any such work.

(Note: a copy of this letter will be given to each member of the Authority at the January meeting)

Date of letter: 12/22/2015

Letter from: Tom Dinkelacker, LV Law Practice

Letter to: Gary Brienza, Solicitor

Subject: Revised Tapping Fee Misc. Charges

I agree with your comments (e-mail dated 12/21/2015). Let's be sure from a practical standpoint that we are on strong footing.

Date of letter: 12/29/2015

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Posh Properties

Planning Module Review

We reviewed the Township Planning Module, Posh Properties Commercial Development, dated 12/15/2015.

Proposed project will be built in the area northeast corner of the intersection of Saucon Creek Road and east Saucon Valley Road. Project will include two proposed 6000 sf office buildings and a 10,000 sf day care facility. An existing structure will be demolished as part of the work.

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Estimated sewage flow is 2164 gpd. Estimated water usage is 1685 gpd. Estimated peak hydraulic flow at the pumping station would be 8656 gpd. Estimated peak hydraulic contribution to the Industrial Park Interceptor would be 5410 gpd. Number of EDU's associated with this development will be ten edu's.

There is allocated treatment plant capacity for providing sewage service.

Developer must submit an IPP Wastewater Discharge Permit Application to document if any cooking facilities will be included with any of the buildings.

Date of letter: 1/6/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Traditions of America - Phase 1

Request for partial release of Sanitary Sewer Escrow Monies (1st Request)

By request dated 11/2/2015j Traditions of America has requested partial release of escrow monies associated with the construction of the sanitary sewers for their subdivision.

We recommend that the Authority approve the release of 90% of the monies as requested at this time. The remaining 10% should be held by the Township as retainage. (Attached) is our status sheet outlining the current status of sewers within this subdivision.

*****END OF CORRESPONDENCE FOR JANUARY'S MEETING

SOLICITOR'S REPORT:

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

Solicitor Brienza updated the Authority on the issues with Brinley. He said the ball is in their court to provide an updated plan. Two weeks ago, they provided an updated sketch and met with Karl Schreiter, Tom Beil and Solicitor Brienza to discuss. Brinley needs an easement to cross Locust Valley Golf Club. Locust Valley is concerned because they are trying to sell the property to Traditions of America and do not want all available EDU's going to Brinley instead of them. Township staff confirmed there will be enough EDU's for both properties.

By removing the tank, Brinley has space to add seven or eight additional units but they want to add twelve units, bringing the total to 225. Mr. Beil made it clear that they will never get 225 because there is too much density for that many units. This would cause parking issues plus decrease the size of the lots and road width. 215 was the original number granted. Brinley then asked for 217, which Mr. Beil accepted.

As for the pump station, it could potentially be integrated with the 125 at Locust Valley or integrated with the Township's station. Mr. Schreiter is also comfortable with 215 to 217 units.

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Mr. Brienza thinks Brinley will be ahead of Traditions of America in developing but they need a few more corrections first. They need to redo their planning module, resubmit a new land development plan and need to get approval from the Board of Supervisors. They also need to work out the easement issue with Locust Valley. There could possibly be a multi-party agreement for the easement between Brinley, Locust Valley and the Township.

The Authority will have to approve the revised planning module, possibly in March or April, which covers them receiving permission for 217 units.

ENGINEER'S REPORT:

Karl Schreiter, PE presented Engineer's report dated January 8, 2016.

Mr. Schreiter updated the Authority on the issues at Liberty Village. Mr. Cope and staff inspected all connections and found many problems. Mr. Schreiter recommends the Township hold \$168,000 of the retainer until all problems are corrected.

Mr. Schreiter and Mr. Brienza are working on the first draft of the tapping fee study. It will be circulated to the Authority for input. Mr. Brienza described issues that Rothrock Motors had with South Whitehall Township when they remodeled their facility. South Whitehall bases their fee on the size of the facility and category of business, not an engineer's flow estimate. This made Rothrock pay an exorbitant tapping fee. Mr. Brienza wants to make sure nothing that would cause issues such as this is hidden in our verbiage.

Mr. Bush asked if there is an update on Olympus' request to release chemicals into the system. Mr. Schreiter has not heard back from them.

Mr. Schreiter has three motions required at tonight's meeting.

SUPERINTENDENT'S REPORT:

Mr. Cope said the issue at Oakhurst is resolved. The homeowner is going to let the grinder height issue go and put the house up for sale instead.

Mr. Cope is looking for suggestions on renovations at the Township-owned bus depot. There is currently vehicle storage and a repair area there.

TREASURER'S REPORT:

Assistant Treasurer Ron Reybitz submitted the report.

Motion was made and seconded to approve the treasurer's report as presented and to authorize checks to be written to members of the Authority for a total of \$300.00.

Motion passed unanimously.

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MOTION (S):

Motion was made and seconded to approve a release of 90% of the escrow funds for Phase 1 of the Traditions of America subdivision in the amount of \$748,719.53; Ref SEA letter dated January 6, 2016.

Motion passed unanimously.

Motion was made and seconded to approve the Township Planning Module for Posh Properties; Ref SEA letter dated December 29, 2015.

Motion passed unanimously.

Motion was made and seconded to approve the Township Planning Module for Stabler Lot 10; Ref SEA letter dated December 18, 2015.

Motion passed unanimously.

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 to be sent to the "53".

Mr. Bush said that a date needs to be scheduled for a meeting to discuss this matter with the Public Works Committee. Solicitor Brienza will check into this.

B. Sewer Tapping Study – update

NEW BUSINESS:

None

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, February 1, 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 6:49 pm.

Respectfully submitted,

Jack DeMatos
Secretary