

# UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, April 4, 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  
Mark Sullivan – Treasurer

## MEMBERS ABSENT:

Ronald Reybitz - Asst. Secretary and Asst. 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 March 7, 2016 with the following revisions:

- Under Solicitor's Report, correct spelling of the word counsel.
- Under Engineer's Report, make this sentence a separate paragraph: The Act 537 letter was promised to him.

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: 3/23/2016, 3/24/2016, 3/25/2016, 3/31/2016

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Date of letter: 3/11/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Dean Meiser, Toll Bros.

Subject: Weyhill Storm Damage and I & I issues

(Attached) are the records that we have in the office. Highlighted addresses have not had final inspection as of yet so I'm guessing that the hook-ups are not complete. We will try to monitor flows from Spring Valley and Franklin to see if there are increases from any sump pumps but even though inspections have been completed within your development, there still may be recent issues that will need to be resolved (such as broken laterals or leaking manholes like the one by the retention pond which we see mud stains inside and can tell the gasket is not holding (pic attached).

Date of letter: 3/11/2016

Letter from: M Dougherty, Toll Bros. (e-mail)

Letter sent to: Chris Cope, UST and others

Subject: Weyhill Storm Damage and I & I Issues

You are correct, highlighted addresses on your list have yet to be connected.

Date of letter: 3/11/2016

Letter from: D Meiser, Toll Bros (e-mail)

Letter sent to: Chris Cope, UST and others

Subject: Weyhill Storm Damage and I and I Issues

I will first have those manhole o-rings and seals looked at on Fox Glove ones that were under water and let you know of the findings. Once we know if they were part of in-part of any of the increased flow at the pump station, we can continue to narrow down our investigation to finding its source from there.

Date of letter: 3/16/2016

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

Letter sent to: Bruce Bush, and others

Subject: Lot 34 Revised Sanitary Lateral Location

Dean Meiser, Toll Bros,

Completed our review of the drawing to relocate the lateral at Lot 34. We concur with the plan as shown.

(Attached) is a copy of our drawing DX9 for installing a saddle connection. You will be required to pay the Township to install the new saddle connection at the sewer main.

Your contractor will then install the new lateral piping from that point.

Date of letter: 3/16/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Thomas Beil, UST

Subject: Curly Horse

Review of Sanitary Sewer Final Maintenance Inspection

A final inspection of the subject was completed by the Township Staff during the week of 3/7/2016. The inspection included all sanitary sewage facilities located in and around

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the subdivision and the gravity sewer connecting the subdivision to the North Branch Interceptor.

The following improvements are not approved as complete for the reasons noted below. Final inspection only observed the items visible from ground level. Observation of the installation of the lateral piping and lateral testing was conducted by Codemaster as part of the building inspection process.

The sanitary sewer cleanout work required may require subsequent sidewalk replacement work.

Five manholes were found to be deficient. (Manholes were listed along the problems)

Sanitary sewer mains ---

Installation of the mains was observed by the Pidcock Co. as well as the testing of the mains.

Sewer mains were televised by the Township Staff in 2005/2006. Results of this work showed all segments were acceptable.

All of the sewer cleanouts located at the curb line were found to be acceptable.

Date of letter: 3/17/2016

Letter from: Water/Sewer Dept., UST

Letter sent to: All members of the Authority (e-mail)

Subject: 1645 Spring Valley Road

To this e-mail was attached letters from John Inglis and Toll Brothers.

Inglis's letter to Karl Schreiter stated that he does not think that UST should pay anything towards the problem stated in the two letters which were enclosed. The letters were regarding a settlement for the repair of his property after the installation of the sewer work.

Date of letter: 3/22/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Karl Schreiter, Bruce Bush and others

Subject: Mountain Glen Subdivision - Status of Sanitary Sewer System

Just wanted to see if there been any progress on the above. We have manholes that are in need of rehabilitation and currently there is no access through this development. The easement has not been maintained (or developed).

Date of letter: 3/22/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Posh Properties

Preliminary/Final Land Development Plan Review

We reviewed the subject Plan prepared by Bohler Engineering dated 6/8/2015 with revisions through 2/26/2016.

Proposed project (Office Space and Daycare) will be built in the area northeast corner of the intersection of Saucon Creek road and East Saucon Valley Road. Project will include two 6,000 sf office buildings and a 10,000 daycare facility. The plan indicates that an existing residence will be demolished.

(Karl had several comments on the Plans)

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The 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: 3/22/2016

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

Letter sent to: R Feldman; M Preston, Liberty Engineering and others

Subject: Sacred Heart memory Care LLC, Tapping Fee Charge

As requested, we reviewed the tapping fee assessment to be given to this project.

Based on our conversation with Ms. Lang, at the Township, we understand that the project will be for the entire land development project under review. The project will not be phased. Therefore, the tapping fees collected should be for the entire project.

Based on the approved Township Planning Module, the flow from this land development project was 32,096 gpd. Based on an EDU value of 226 gpd, they should be assessed for 143 edu's. This edu assessment will cover the following:

Five twin residential units

One 2-story, 30,266 sf, Alzheimer's Care Unit

One 4-story, 115,376 sf, Assisted Living Unit

Date of letter: 3/22/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: MS Center Valley, LLC

Preliminary / Final Plan Review

We reviewed the subject Plan prepared by Ott Consulting Inc., dated 11/3/2015 with revisions through 3/8/2016.

Project to be comprised of one lot near Center Valley Parkway. It will consist of a 2-story transitional care facility (46,749 sf with 100 beds).

(Karl's' comments included a statement that a Grease Interceptor must be installed with a capacity of 2000 gallons)

Date of letter: 3/22/2016

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

Letter sent to: Bruce Bush

Subject: Stabler Center Lot 10 Planning Exemption Request

Karl forwarded the following e-mail to me.....

From Robin Sterner, PA DEP

As discussed, the information included in your 12/18/15 letter to UST includes a chart on page 2 which includes flow values for collection, conveyance and treatment for the sewage facilities intended to service this development. The present flows and projected flows in 5 years for peak flow rates for conveyance and treatment exceed the listed design or permitted capacity as shown in the chart. Please explain these flow values in more detail. Any request for an exemption must include written documentation and certification that the facilities proposed for use has capacity and that no overload exists or is projected to exist within 5 years.

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Date of letter: 3/23/2016

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

Letter sent to: Chris Cope and others

Subject: Mountain Glen Subdivision

I'm aware of nothing in terms of progress. We have an unusual situation in that the original developer went under quite some time ago. There is an entity which is finishing the development and we have had some dealings over the past year, but nothing re sewers. Let me know if there is anything you want me to do. Obviously it is our procedure to accept sewers by bill of sale with a deed of easement. I think we have security, but I'm not certain without reviewing the file.

Date of letter: 3/24/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Tom Dinkelacker, DDA and others

Subject: Mountain Glen Subdivision

My concern is access to the manholes that carry the sewage from the Mt. Glen development to the Oakhurst collection system. Currently there is no access for us to maintain and repair these manholes and I'm sure there was a detailed utility easement in the original, approval plans.

Best way to show our concern might be with pictures. The next few e-mails will contain the pictures.

Date of letter: 3/24/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Tom Dinkelacker, DDA and others

Subject: Mountain Glen Subdivision

(Attached) pictures show how there is extremely limited access to the manholes and sewer main behind the development unless we encroach on private driveways/property.

Date of letter: 3/24/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Tom Dinkelacker, DDA and others

Subject: Mountain Glen Subdivision

These next pictures display how the manholes and sewer main leaving Mt. Glen development are surrounded by ditches, retention ponds, a creek, and heavy brush.

Date of letter: 3/24/2016

Letter from: Chris Cope, UST (e-mail)

Letter sent to: Tom Dinkelacker, DDA

Subject: Mountain Glen

Finally, we thought access from Bittersweet might be the answer but, access and mobility is even more limited from this direction. Pics (attached). We need access to these manholes for repair and I&I prevention.

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Date of letter: 3/24/2016

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

Letter sent to: Chris Cope and others

Subject: Mountain Glen

I understand the problem.

Trisha ---- Are we still holding security on this property? The developer is Dave DeLuca. We last worked with him in February / March 2015 regarding development issues and emergency access. He seemed to be a reasonable individual.

I'm sure the record plan has easement info. Keep in mind this was a McGrath project approved when Charlie Ruppert was Planning Director. The improvements, save sewer, were all intended to be private. McGrath then went under, and the development was dormant for several years until DeLuca's company bought it. We then did an improvement agreement, and I think they posted security for certain aspects of the project.

Date of letter: 3/23/2016

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

Letter sent to: Chris Cope, UST and others

Subject: Mountain Glen Subdivision -- Status of Sanitary Sewer System

I'm aware of nothing in terms of progress. We have an unusual situation in that the original developer went under quite some time ago. There is an entity which is finishing the development and we have had some dealings over the past year, but nothing re sewers. Let me know what if anything you want me to do. Obviously it is our procedure to accept sewers by bill of sale with a deed of easement. I think we have security, but I'm not certain without reviewing the file.

Date of letter: 3/28/2016

Letter from: Planning UST (e-mail)

Letter sent to: Tom Dinkelacker, DDA and others

Subject: Mountain Glen Subdivision -- Status of Sanitary Sewer System

The improvements agreement signed with MGBD on December 26, 2013 suggests that, at that time, the sewer construction was completed. Page 17 of the agreement identifies that "no improvements owned by the successor are to be dedicated to the Township" and, further specifies (same page) that the Successor certifies that it has no ownership interest in the roadways, common areas, storm water facilities and other subdivision amenities.

The listing of "incomplete improvements attached to the Agreement as Exhibit D does not include any sanitary sewer work.

It appears that MGBD has no ownership interest in the land through which the sewer lines run which, on the final plan, is identified as "Open Space to be dedicated to Upper Saucon Township". However, at the bottom of page 17 of the Agreement, there is the following statement: "Township acknowledges that the "open space" (Lot 37) has been deeded to Heritage Conservancy, Inc. which now has sole responsibility therefore." As a result, it would appear to me that this is the agency that we would need to deal with regarding the easements which, as noted above, are clearly identified and described on the final plan.

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To my knowledge we are still holding some security although, as noted, there is not much in the way of public improvements that would be covered by this sum.

\*\*\*\*\*end of correspondence for April's meeting

Mr. Cope mentioned there is no further update on the Mountain Glen subdivision's manhole access issue. He said the Township needs to be more proactive with watching developers and making sure that manholes are accessible. Ms. Moore asked if this should have been in the original plan. Mr. Cope said it should be. Solicitor Brienza said that Patricia Lang pulled the original plans last week. There is notation about easement access but the original owner changed due to bankruptcy. Mr. Cope said they need to go through a private driveway to reach some manholes near the cul de sac.

Solicitor Brienza said that Ms. Lang mentioned a couple of references on the plan that improvements were deeded to Heritage Conservancy, Inc., which is different from the development's owner. Ms. Lang said that we need to contact Heritage Conservancy to follow up. Mr. Brienza said he or Solicitor Dinkelacker will contact them. Ms. Moore said that Heritage Conservancy is located in Bucks County and that the original developer was also from Bucks.

Mr. DeMatos asked that the issue be researched for the next meeting. He said moving forward, when plans are submitted, Mr. Schreiter, the fire chief and Mr. Cope should all review them. Mr. Schreiter asked if this should be added to the Standard Specifications. Mr. DeMatos said yes.

Mr. Bush asked for an update on the Stabler exemption. Mr. Schreiter said he is working on it but has concerns. He said the new man at the DEP will not approve the planning module even though there have only been issues in significant wet weather. The old DEP employee was aware of this and would approve. The new employee wants documentation. Mr. Schreiter is not quite sure how the new employee will treat this but he has heard that all in the Little Lehigh river basin have had to send DEP a formal planning module. This could hold up other future development if plans submitted are not approved by the DEP. Mr. DeMatos said if a basin must be built, it could be years and very expensive with many approvals needed. Mr. Schreiter said he is writing a letter to try and get the Township past this. He will mention how much the Township has done in I&I work to date to help with high flows.

## SOLICITOR'S REPORT:

The Solicitor's Report dated April 4, 2016 was presented by Solicitor Brienza.

Solicitor Brienza reiterated there is nothing new with Brinley. The ball is in their court.

As for the Benckini lawsuit, Mr. Brienza confirmed that the Township has not received a reply or response from Mr. Benckini.

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Mr. Brienza said another meeting is set up to work on the draft of the Tapping Fee Ordinance. He said there may be two more meetings until it is complete. He said once they are done with the final draft, it will be distributed for approval by the Board.

## ENGINEER'S REPORT:

Karl Schreiter, PE, presented Engineer's report dated April 1, 2016.

Mr. Schreiter said that Coopersburg does not like the price the Township gave them for EDUs they need to purchase for Oxford Ridge. Tom Beil said to wait on the issue.

Mr. Schreiter has one motion required at tonight's meeting.

## SUPERINTENDENT'S REPORT:

Mr. Cope said his staff is doing pump station inspections and some cleaning.

He said they did a full inspection of the Curly Horse development before its maintenance bond came due.

He said staff did manhole cleaning and rehab work at Route 309 and Lanark Road. They also cleaned out and rehabed on North Main Street.

## TREASURER'S REPORT:

Treasurer Mark Sullivan submitted the report. He said that no checks for stipends will be issued tonight because the Township needs to replenish the account. Bob Kassel told Mr. Sullivan that stipends should be coming through as payroll because checks need to be taxed. He said the Board of Supervisors and other boards are paid in this manner. This will start in 2017. Mr. DeMatos asked if checks can be issued on a monthly basis. Mr. Sullivan will request this. Mr. Sullivan said Mr. Kassel asked why Mr. DeMatos and Mr. Reybitz receive a larger stipend than other members. Mr. DeMatos said there was an ordinance and Mr. Kassel can confirm with Mr. Beil.

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

Motion passed unanimously.

## MOTION (S):

Motion was made and seconded to approve the Township Planning Module for the MS Center Valley LLC Land Development Project; Ref: SEA letter dated January 15, 2016.

Motion passed unanimously.

## UNFINISHED BUSINESS:

A. Unconnected Sewer Analysis



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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".

Mr. Bush said a meeting is set up for Wednesday, April 13, at 2 p.m. at the Township Building. Attendees will be Mr. Bush, Ms. Moore, Solicitor Dinkelacker, Solicitor Brienza, Supervisor Patrick Leonard, Supervisor Dennis Benner, Mr. Beil, Mr. Kassel, Mr. Schreiter and Mr. Cope.

Mr. Bush said that himself, along with Mr. Cope and Mr. Beil met with QNB on low-interest loans for affected residents. There were questions raised about referring residents only to QNB for loans. Mr. DeMatos said if there were multiple banks, it would be fine. Mr. Bush said the Township will not endorse a certain contractor.

Mr. Bush explained that after the meeting, if the Board of Supervisors agrees, Mr. Beil will send a letter to the 53 residents and schedule a meeting to discuss the issue. QNB will not be mentioned.

Ms. Moore asked if all members of the Authority may attend this meeting. Solicitor Brienza said that they may due to the Sunshine Law. Mr. Sullivan asked if the public can attend. Mr. Brienza said that it will not be advertised so he is unsure. He will check with Mr. Beil. Mr. Brienza confirmed at a later date this was a public meeting.

Mr. Bush said no decisions can be made at the April 13 meeting since only two Authority members will be there.

B. Sewer Tapping Study – update

## NEW BUSINESS:

None

## ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, May 2, 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 7:01 pm.

Respectfully submitted,

Jack DeMatos  
Secretary