

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Tuesday, September 6, 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
Mark Sullivan – Treasurer
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 August 1, 2016 as submitted.

Motion passed 4-0 with Mr. Reybitz abstaining because he did not attend the meeting.

CORRESPONDENCE COMMENTS:

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

(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 or amended: 8/16/2016, 8/17/2016, 8/21/2016, 8/31/2016, 9/1/2016, 9/2/2016

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Date of letter: 7/29/2016

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

Letter sent to: Eric Griesemer, TOA

Subject: TOA Phase two Escrow Release

We cannot process the escrow release because:

1. Request was not submitted using the (attached) form
2. The deficiencies found in the TV inspection have not been addressed. As per our discussion with the contractor, it is our understanding that these deficiencies will be addressed at the time when the subject residences are connected to the sewer system.

Date of letter: 8/3/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: High Hotels Ltd. ---- Stabler Lot 10 ---Plan Review

We reviewed the Plan dated 9/8/2015 with revisions through 7/22/2016 and the letter from B. Engle of Rettew dated 7/25/2016.

We have no comments on Sheet 3 -Existing conditions and Demolition Plan; Sheet 6 - Utility Plan; Sheet 8 - Profiles; Sheet 16-Sanitary Sewer/Waterline details.

Based on our review of the plans, we recommend approval of the Plans by the UST BOS.

Date of letter: 8/3/2016

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

Letter sent to: J B Youst, Hanover Engineering and others

Subject: Authorization for Preliminary Engineering Utility Relocation Bridge JV-177; Camp Meeting Road

Called Paul North this morning to discuss the project. The next step will be to arrange a site meeting to discuss the utilities. They will be contacting us to arrange for the meeting. Paul said no forms need to be completed until after the meeting.

I stressed that we do not want to relocate the NBI. He stated that PennDOT does not want to this unless absolutely necessary. This will be determined at the site meeting. Also mentioned that UST has a water pipe located east of the bridge. He recommended that it be remarked before the site meeting. The requirements for the water pipe will be discussed at the site meeting.

Date of letter: 8/5/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Weyhill Estates - Phase 3 ---- Review of Video Inspection

We reviewed the videotapes from an inspection of the sewers of this subdivision. The inspection was conducted on 8/2/2016.

Results of the inspection:

Segment MH#BB 59 - MH #BB 60

Pipe segment is in unacceptable condition because of a small burr at a joint @ 12.5 feet; and a crack in pipe at joint at 15.9 feet.

Segment MH #BB60 - MH #BB 11

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Acceptable condition

Segment MH #BB61 - MH #BB 62

Possible sag starting 34 feet downstream of MH #BB61. This may be the result of the water backing up in the pipe due to the plug at MH #62. This segment should be re-televised after the plug is removed.

A copy of the status of the sewer inspections completed was attached to the letter.

Date of letter: 8/9/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Stabler Lot #10 --- High Hotels, Ltd. ---- Pre-construction Meeting

(Attached) is a copy of the minutes of the meeting held on 8/9/2016. The minutes include an attendance list.

Highlights of the minutes:

Starting date -- 3-4 weeks after plan approval

Contractor must check manholes to assure that channels are uniform with smooth sides. All sewers must be flushed and cleaned prior to video inspection by township staff. TV inspection will then be used to confirm uniform slope of pipe segments. All inspection work should be completed just prior to paving activities. The Contractor and Developer were briefed on the Authority's inspection requirements regarding repairs and acceptance of sewers under the Authority's flushing program. Developer must submit revised Township Planning Module and PADEP exemption forms for the revised sewage flows.

Date of letter: 8/10/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Weyhill Estates -- Phase 3 --- Review of Video Inspection

We reviewed the videotapes from the inspection conducted on 8/4/2016.

(Summary of the letter: Video inspection of the sewers along Fox Glove Drive. Majority of problems involve possible burrs in the piping. We recommend that these sections be re-televised to get a second view of the issues. The push camera should be used to check the issues with the lateral piping at the lateral elbow joints. For more details, read the letter)

Date of letter: 8/12/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: TOA - Phase 2 ----- Review of video inspection

We reviewed the videotapes from an inspection recently made.

Segment MH #A-27 - MH #A-28

Lateral for lot 159 was excavated and the burr was removed. Lateral is now acceptable.

Segment MH #A-43 - MH #A-27

Lateral for lot 226 was excavated and the burr was removed. Lateral is now acceptable.

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Date of letter: 8/12/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: MS Center Valley, LLC -- Preliminary/Final Plan Review

We reviewed subject document dated 11/3/2015 with revisions through 8/10/2016. We have no further comments on the Utility Plans (sheets C-4.1 and 4.2) and the Profiles Plan (sheet C6.1).

Date of letter: 8/12/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: MS Center Valley, LLC --- Construction Cost Review

We reviewed the document - "Engineer's Opinion of Probable Construction Costs for MS Center Valley are prepared by Ott Consulting, Inc. dated 8/10/2016.

Summary of costs for the sanitary sewer portion of the work:

Construction Costs \$70,207.00

Contingency (20%) \$14,041.00

Total Escrow \$84,248.00

We concur that the estimates as presented can be used as a basis for escrow funds required by the Developer's Agreement with the Township and the Authority. Copy of the estimate is (enclosed).

Date of letter: 8/18/2016

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

Letter sent to: Bob Mack, Hanover Engineering

Subject: TOA ---- Phase 2

All lines have to be mandrel tested. The video may miss areas where the pipe is egg shaped. I do not expect to see anything, but we still do the test. I assume that all manholes were also vacuum tested?

Date of letter: 8/18/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Jennifer Mader, High Construction Company

Subject: High Hotels LTD --- Stabler Lot 10 ---- Sanitary Sewer Submittal Review

(Karl approved all of the products that were submitted. See the letter for the specifics)

Date of letter: 8/19/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Jennifer Mader, High Construction Company

Subject: High Hotels LTD --- Stabler Lot 10 --- Sanitary Sewer Submittal Review

(Karl approved all of the items that were submitted for review including the 2000 gallon Grease Trap manufactured by Monarch Precast Concrete Corp. See the letter for more details.)

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Date of letter: 8/19/2016

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

Letter sent to: Bruce Bush and others

Subject: Partial Release of funds for TOA - Phase 2

(Attached) is the release for approval by the USTMA at their meeting on 9/6. I was waiting for the final testing to be completed today.

Karl is recommending that the Authority approve the release of 90% of the escrow monies as requested at this time. (Attached) is our status sheet outlining the current status of sewers within this subdivision.

All testing and inspection of the sewer mains including video inspection of the sewer segments included with this request have been completed and found to be acceptable.

Date of letter: 8/19/2016

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

Letter sent to: Jennifer Mader, High Construction Company

Subject: High Hotels LTD --- Stabler Lot 10 --- Sanitary Sewer Submittal Review ----

Manholes - Shop Drawings (grade rings)

(Karl provided his comments on the referenced item)

Date of letter: 8/19/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: High Hotels, LTD. ---- Stabler Lot 10 --- Review of Township Planning Module

We reviewed the letter from J. Harman of Rettew dated 8/9/2016 and the UST Planning Module as prepared by Rettew and dated December 2015 and revised August 2016.

Based on the data in the letter, they revised the estimated annual average flow from this facility to be 20,515 gpd. Estimated peak hydraulic loading from this addition would be 82,100 gpd in the collection system and 51,300 gpd in the North Branch Interceptor.

The projected flow would represent 91 EDU's. The estimated water use associated with these flow projections as measured at the building site would be 15,976 gpd. This estimate is based on a water use of 176 gpd/edu as outlined in the UST's 2001 Act 537 Plan Revision.

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

The sewage flow from the proposed complex would be part of Stabler's Land Company's flow allocation of 500,000 gpd in the existing treatment facility.

(Attached) are updated tables summarizing updated total flows from the Stabler Business Park. This summary indicates that the total sewage allocation for the Stabler Industrial Park has sufficient reserve capacity for this subdivision.

Date of letter: 8/30/2016

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

Letter sent to: Tom Beil and Karl Schreiter

Subject: Saucon Valley Crossings

Tom

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My recollection is that the moratorium was specific to the trailer park (and perhaps the other one as well....)...I think Malkames is speaking generically since of course we know that the Township had a TOWNSHIP WIDE moratorium that no longer exists....I am unaware of the zoning/permit approvals that he speaks of in this letter.

I think we need to coordinate the history and current status to then have a response sent that is representative of both the Township and the Authority....

Thoughts?

Thanks

Date of letter: 8/30/2016

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

Letter sent to: Gary Brienza and Tom Beil

Subject: Saucon Valley Crossings

Gary is correct. The overall moratorium was lifted when the NBI CAP was lifted.

However, the ban in both trailer parks is still in place until their systems are rehabbed.

Date of letter: 8/30/2016

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

Letter sent to: Tom Beil and Tom Dinkelacker

Subject: Saucon Valley Crossings

Okay slightly confused....seems like you have replied and responded to Malkames with this...but of course his letter is dated 8/24....and you were replying to earlier letters....that being said I think your reply is sufficient even for the new letter except for the fact that it does not address the takeover of the system comment (although I could swear that issue has been addressed previously)

From: Thomas Beil [mailto:tbeil@uppersaucon.org]

Sent: Friday, August 26, 2016 4:47 PM

To: Malkames law office <mkoffice@malkameslaw.com>

Cc: Gary Brienza <gabrienza@pzblaw.com>; Karl Schreiter <kes1@aol.com>

Subject: RE: Saucon Valley Crossings

Mark: See attached. I use the word "prohibition" rather than "moratorium" because it seems to more closely match the language in the State law dealing with this issue. Whichever word is used, I think we're talking about the same thing - a ban on new sewer connections due to overloaded sewer lines. Feel free to call me if you have any questions.

Tom Beil

Township Manager

Date of letter: 8/31/2016

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

Letter sent to: Bruce Bush

Subject: Peppercorn Pub Agreement

(Gary sent Bruce a copy of an e-mail Tom Beil sent to Patricia Lang which read as follows:

From: Thomas Beil [mailto:tbeil@uppersaucon.org]

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Sent: Tuesday, August 30, 2016 1:30 PM

To: Patricia Lang <PLang@uppersaucon.org>

Subject: Peppercorn Pub Agreement

Trisha: Attached is the fully executed agreement between the Township and Alara Investments (Dr. Vefali) concerning the Peppercorn Pub. Please make sure all the conditions identified in the agreement are satisfied before issuing the final CO. Most importantly, please make sure the Township receives payment in the amount of \$10,090 for the sewer EDUs.

Date of letter: 9/1/2016

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

Letter sent to: Bruce Bush and others

Subject: Sewer Connection Plan

(Attached) is a copy of the revised Sewer Connection Plan that is recommended to be sent to PADEP. We can discuss on Tuesday night. I will bring the attachments on a flash drive since the file is too large to send via e-mail.

(A copy of this e-mail with the Plan was sent to each member of the Authority on 9/1/2016)

Date of letter: 9/1/2016

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

Letter sent to: Patricia Lang, UST

Subject: Posh Properties --- Proposed Sanitary Sewer Realignment

As requested from an e-mail from Steve Walsh, Bohler Engineering, dates 9/1/2016, (copy attached) the Developer wants to propose relocation of a portion of the sanitary sewer that will service their land development project. The relocation is due to the inability of the Developer to obtain an easement from the adjoining property owner, Swin-In Zone. As a result, a portion of the sewer must be located in Saucon Creek Road to avoid conflicts with existing trees on the Swim-In Zone property.

We offer the following comments:

1. Developer must resubmit plans showing the new proposed alignment and associated sewer profile.
2. Developer must show limits of disturbance in the Township roadway on the plans.
3. Developer must coordinate with Hanover Engineering to determine all road restoration requirements for Saucon Creek Road.

Date of letter: 9/1/2016

Letter from: Steve Walsh, Bohler Engineering (e-mail)

Letter sent to: Karl Schreiter, SEA and others

Subject: Posh Properties --- Sanitary Sewer Main Extension

Just an update and acknowledgement to the requirements of this (9/1/2016 letter from SEA on the subject) letter, we are continuing to work with the adjacent property owners for their acceptance and will submit plans with the finalized design upon.

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Date of letter: 9/2/2016

Letter from: Wendy Sinko, UST (e-mail)

Letter sent to: Bruce Bush

Subject: EDU's --- Sewer Purchase agreement --- Oxford Ridge Subdivision

Gary's office asked me to forward this to you.....

Letter from Tom Beil, UST, to Coopersburg Borough, dates 8/23/2016: Enclosed for your information and file please find a fully executed copy of the above-referenced agreement.

*****end of correspondence for Sept. Meeting

SOLICITOR'S REPORT:

The Solicitor's Report dated September 6, 2016 was presented by Solicitor Brienza.

Solicitor Brienza said he has received two or three letters from the attorney representing Saucon Crossings asking why the park cannot have any new connections. Tom Beil reminded them there is a continued moratorium on their park. The attorney also asked for the park's system to be dedicated. They were told this will be done after their system is redone. Mr. Brienza said there is a meeting with Saucon Crossings in two weeks to discuss these issues and to make sure everyone is on the same page.

Solicitor Brienza let the Authority know that the tapping fee ordinance is still not on the meeting schedule. He said he is pushing for this meeting to happen but it is not in the Authority's hands.

Mr. Brienza said there are still a few issues at Mountain Glen. Mr. Guignet is going out to see if they removed the tree that is on the easement line. Mr. Brienza explained that their HOA is transitioning to a new president. He will call Solicitor Dinkelacker for an update on status of this change. Mr. Brienza mentioned possibly equipment that would help gain access to hard to reach areas could be added to the 2017 budget. Mr. Cope does not think they are ready and would like to add the equipment in 2018.

ENGINEER'S REPORT

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

Mr. Schreiter said the Sunset Drive/Ackerman's Lane sewer design is coming along and that he has to review the design.

Mr. Schreiter said he will be able to do more work on the 537 Plan because he just received residential information from Joe Geib.

The Preston Lane Slip-lining project is on hold until the end of the school year.

Mr. Schreiter notified the Authority that Coopersburg Borough wants to purchase 74 more Andjar EDUs before the tapping fee increases in 2017. Mr. Beil said they want to

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purchase these soon. Ms. Moore is concerned if we sell these units, we may need to buy them back. Mr. Schreiter does not think this will happen.

Mr. Schreiter explained if there is an overflow in Coopersburg's system, they will lose the units. He said by agreement we have no access to their system and cannot determine if the system can handle 74 units. He said this is between Coopersburg and the DEP to work out. Ms. Moore said she feels like the Township is responsible. Mr. DeMatos said he does not think we can stop them from purchasing the units legally. Mr. Reybitz asked Solicitor Brienza if he sees any legal risks. Solicitor Brienza said no, it is not our system and they would be sold according to Andjar rules. Mr. Schreiter added that Coopersburg's Engineer will have to provide a planning module in order to install the units.

Mr. Schreiter said Tom Beil is asking for the Authority's opinion, not a motion. However, Mr. Schreiter said he does need a motion to send the CAP to DEP and it includes the 100 units for Coopersburg Borough. Mr. Bush is not in favor of selling them additional units. Mr. DeMatos asked Mr. Schreiter to tell Mr. Beil the Authority is split on selling versus not selling the units. Mr. Cope said if we sell the units, we could put an option in the contract that we could buy the units back at the cost they were sold for.

Mr. Schreiter received a revised planning module from High Hotels that reduces the sewer allocation to 91 EDUs. Ms. Moore is concerned this number is too low. Mr. Schreiter said they will be able to review and change if needed.

Mr. Schreiter said that Mr. Cope and Mr. Guignet are reviewing the standard sewer specifications discussed in July's meeting and they should be ready for the October meeting.

SUPERINTENDENT'S REPORT:

Mr. Cope said they had a contractor line a dozen manholes. Preventative maintenance has been done on all pumps. Mr. Cope explained one pump at the Old Bethlehem Pump Station had a seal leak. Repairs cost \$1,300 or replacing will cost \$12,000. They will repair it now and add the replacement cost to the budget later.

Mr. Cope asked the Authority for 2017 budget suggestions.

TREASURER'S REPORT:

Treasurer Mark Sullivan submitted the report.

Quarterly checks were cut to the members of the Authority in month of August.

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

Motion passed unanimously.

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MOTION (S):

Motion made and seconded to approve the release of 90% of the escrow monies for the Traditions of America Phase two sanitary sewers. Amount of the release is \$166,098.77. Ref: SEA's letter dated 8/17/2016.

Motion passed unanimously.

Motion made and seconded to approve the revised Township Planning Module for Stabler Lot #10, High Hotels, LTD. Ref: SEA's letter dated 8/17/2016

Motion passed unanimously.

Motion made and seconded to approve the submission of the revised Sewer Connection Plan (Revised as of Sept. 1, 2016) with additional amendments referenced at this meeting. Ref: SEA's letter dated 9/1/2016.

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 be sent to the "53".

Mr. Cope said there is still no update. The information is with Tom Beil.

B. Sewer Tapping Study – update

Mr. Brienza wants to schedule a meeting with Solicitor Dinkelacker and is aiming for an October date.

C. The Authorities 74th Annual Conference and Trade Show was held in Pittsburgh, August 28-31. Mindy Moore attended the Conference and will give a report on what she learned.

An item that was discussed was the PENNVEST On-Lot Program Improvements. PENNVEST and PHFA have implemented major changes to the PENNVEST Homeowner Septic Loan and are eager to share these improvements with municipal authority staff and leadership. The "big one" for PMAA is the loans can now be used to pay for first-time connections to public sewer as well as the repair and replacement of on-lot septic systems. Another sure-to-impress change is the removal of the household income limits that restricted homeowner participation. (Moderator: Glenn Higbie, Hellertown Borough Authority)

Ms. Moore made a written report of what she attended and learned at the conference. She gave the information to the Authority members. Ms. Moore said "10 Best Program

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Improvements” was the best session she attended because it covered items not widely known. She explained “Tell It to the Judge” discussed a case involving EDUs. Ms. Moore gave Mr. Guignet 2 CDs on repairs and gave Mr. Schreiter something on access to cleanouts. Ms. Moore said it was worth it to attend the conference.

D. Easement Problems

NEW BUSINESS:

None

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, October 3, 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 7:16 pm.

Respectfully submitted,

Jack DeMatos
Secretary