

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, January 9, 2017

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.

MEMBERS PRESENT:

Bruce Bush – Chairman

Joaquin (Jack) DeMatos - Vice Chairman

Ryan Holmes - 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

REORGANIZATION:

Motion made and seconded to elect Bruce Bush as Chairman of the USTMA and to close nominations.

Motion passed unanimously.

Motion made and seconded to elect Jack DeMatos as Vice Chairman of the USTMA and to close nominations.

Motion passed unanimously.

Motion made and seconded to elect Ryan Holmes as Secretary of the USTMA and to close nominations.

Motion passed unanimously.

Motion made and seconded to elect Mark Sullivan as Treasurer of the USTMA and to close nominations.

Motion passed unanimously.

Motion made and seconded to elect Ronald Reybitz as Asst. Secretary/Treasurer of the USTMA and to close nominations.

Motion passed unanimously.

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APPOINTMENTS:

Motion made and seconded to accept the appointments and meeting dates and times for 2017.

Appointments:

Solicitor - Gary Brienza

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

Engineer - Karl Schreiter

Firm - Schreiter Engineering Associates

Auditor - Reinsel, Kuntz, Leshner, LLP

Meeting Dates and Time:

First Monday of each month with the exception of the September meeting which will be held on Tuesday, 9/5/2017.

Time of meetings -- 6 PM

Motion passed unanimously.

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.

VISITORS:

None

PUBLIC COMMENT:

None

MINUTES:

A motion was made and seconded to approve the meeting minutes for December 5, 2016 as submitted.

Motion passed 4-0-1 with Mr. Holmes abstaining.

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)

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Date list was prepared or amended: 12/23/2016, 12/27/2016, 12/28/2016, 12/29/2016, 1/5/2017

Date of letter: 12/7/2016

Letter from: Chris Cope, UST (e-mail)
Letter sent to: Karl Schreiter, SEA and others
Subject: Mountain Glen Subdivision
The tree/shrub is cut down and removed.

Date of letter: 12/6/2016

Letter from: Gary Brienza, Solicitor (e-mail)
Letter sent to: Tom Beil and Tom Dinkelacker
Subject: Mountain Glen Subdivision
Where would we be for purposes of ultimate dedication of the system/other improvements?

Date of letter: 12/6/2016

Letter from: Tom Dinkelacker, DDA (e-mail)
Letter sent to: Gary Brienza and Tom Beil
Subject: Mountain Glen Subdivision
We want a bill of sale for the lines/structures and an easement for operation, maintenance, repair or replacement.
With no developer, the cost to prepare the documents may be an issue, and I would say it is up to the Township what to spend and therefore what to have to support an offer of dedication from the Association to the Township and the Authority.
I would say it is Tom Beil's call with input from the Authority. I doubt anyone wants the lines to remain private.

Date of letter: 12/6/2016

Letter from: Karl Schreiter, SEA (e-mail)
Letter sent to: P Lang, UST
Subject: DeSales University -- Athletic Field Improvements....Release of Sewer Escrow (Here) is the escrow release as approved by the USTMA last night.

Date of letter: 12/7/2016

Letter from: Gary Brienza, Solicitor (e-mail)
Letter sent to: Thomas Beil, UST
Subject: Sandra Calverey and Howie Campbell.... 6150 Whitetail Drive....Actual property address is 5561 Limeport Pike
Just wanted to give a heads up about this situation. These people own the property listed above. The property is very close to the creek....the septic system has been there a long time but due to its proximity to the creek cannot be fixed/replaced. They would like to tie into public sewer and can do so relatively easily. HOWEVER they need to get an easement across the front portion of their neighbor's VERY LONG driveway (the drive is stone and not paved)...there does not seem to be anything from the aerial shots that would indicate a problem or that the easement would create a significant impact on

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the neighbor....It would be done underground and can be bored versus dug out (hence minimal disruption of the property). The neighbor initially indicated a willingness to provide the easement but now is seeking a very large sum of money (I think that he is trying to get other consideration from the owners for totally unrelated property issues involving lot lines and placement of a barn or other structure in return for the easement). Anyway....we were told that the current system needs to be replaced...but when asked if it was determined to be "failing" the property owners did not seem sure... The Authority would LIKE to assist these people, if necessary and only if the Township agrees of course....I explained that we COULD seek the easement through eminent domain if we had a legitimate reason to do so in serving the public....My thought is that IF the system is truly failing, we would have that public purpose since the system cannot be repaired or replaced at this site. We left it that they should seek an inspection from the SEO....then depending upon that result we would take action or not....As such they will be calling your office to coordinate having the SEO inspect....I can discuss further if you need.

Date of letter: 12/7/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: DeSales University --- Upper Classman Village Phase 2....Plan Review

We reviewed the subject Plan as prepared by Pany and Lentz and dated 11/8/2016.

Proposed facility will be built in the area in a vacant area along DeSales Drive. Project will include construction of two student housing buildings. Each unit will include 48 bedrooms with a total of 59 beds.

Proposed facility will utilize existing University's private sanitary sewer servicing the area.

(Karl then listed several comments regarding the plans. Most of the comments were regarding changing the UST Ordinance reference numbers.)

Date of letter: 12/12/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Michael Livengood, Professional Site Management

Subject: Blue Ridge West Estates.....Submittal Review.... Low Pressure Force Main

(Karl offered his comments on the materials to be used on subject work.)

Date of letter: 12/12/2016

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

Letter sent to: P Lang, UST

Subject: Lanark Commons ---- Sewer Lateral Issue

It appears that the drawings as submitted by Base Engineering do not have the water line correctly located. There is still an issue with the cover over the sewer lateral in that they cannot meet the minimum 4 feet depth requirement. Tony will call Chris and reopen the issue regarding the lowering of the water line. Until this issue is resolved, there is no reason to proceed with any further review.

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Date of letter: 12/15/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Lanark Commons.....Planning Module Review

We reviewed the subject document dated 11/18/2016.

The subdivision will be comprised of one lot between PA Route 309, Lanark Road and West Valley Road. It will consist of (1) 2250 sf Bank Building and (2) a 29,000 sf 2-story office building.

Estimated additional sewage flows will be 1356 gpd. The estimated peak hydraulic loading from this addition would be 5424 gpd in the collection system and 3390 in the North Branch Interceptor. This projected flow represents six edu's.

This sewage flow is based on a water use of 880 gpd at the medical building and 176 gpd at the bank building. Township should monitor future water use to assure that usage is below the allocated quantities shown in the planning module.

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

We recommend that the USTMA and the USSTA approve this module.

The developer must submit an Industrial Pretreatment Wastewater Discharge Application for the proposed facilities.

Date of letter: 12/15/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Colson Property Connection.....Blue Ridge West Subdivision....Plan Review

We reviewed various documents having to do with the subject.

Proposed project will connect the Colson Property located at 4901 Blue Church Road to the proposed low pressure force main to be installed along Saucon Ridge Road. The grinder pump system will be a private system to be owned and operated by the homeowner and not the responsibility of either the Township or the Township Authority. Based on the latest revision to the associated Sewer Connection Plan for this area (PSA-52) there is sufficient capacity to make this connection.

(Karl then offered 3 comments.....2 of the comments referred to the UST Requirements and regulation regarding the abandonment of on-lot sewage disposal systems.)

This project cannot be constructed until the low pressure force main is installed along Saucon Ridge Road.

Date of letter: 12/15/2016

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

Letter sent to: Tony Ganguzza, Boyle Construction

Subject: Lanark Commons

We discussed the issue with Tom Beil. He suggested you evaluate if it is possible to lower the sewer line upstream of MH#354 to gain sufficient depth to allow you to connect the proposed lateral to the main and go under the existing water line. This may be possible since the upstream slope is extremely steep.

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Based on our conversation, we understand that you will have your engineer look at this and get back to us.

Date of letter: 12/15/2016

Letter from: Tony Ganguzza, Boyle Construction

Letter sent to: Karl Schreiter, SEA

Subject: Lanark Commons

I will be discussing this with Base shortly and we will be back to all of you.

Date of letter: 12/19/2016

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

Letter sent to: Lyne Miller, UST

Subject: Manor House Property

(Attached) is the basis for determining the EDU charges in 2005. There was no planning module done at that time. I feel we do need a new planning module if the usage is going to change. This will document the usage for future reference.

Date of letter: 12/20/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Colson Property Connection.....Blue Ridge West Subdivision-Plan Review

We reviewed the subject dated 12/6/2016 with revisions through 12/19/2016.

Proposed project will connect the Property located at 4901 Blue Church Road to the proposed low pressure force main to be installed along Saucon Ridge Road. The grinder pump system will be a private system to be owned and operated by the homeowner and not the responsibility of either the Township or the Authority. There is sufficient capacity to make this connection.

(Karl had no additional comments on the submittals.)

Date of letter: 12/20/2016

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Lanark Commons --- Sketch Plan Review

Based on our review of the updated documents with revisions through 12/20/2016:

Note must be added that the house sewer lateral must be capped

The contractor is responsible to coordinate the sewer relocation with all homeowners along West Valley Road who will be impacted by the sewer replacement work and is also responsible to coordinate the sewer relocation with the Director of the Water/Sewer Dept.

The contractor will be responsible for all by-pass pumping and other related activities required with the sewer main relocation.

A concrete encasement may be needed at the point where the sewer lateral and existing water main cross if the 18 inch vertical separation is not present.

Developer must submit a (1) new Township Planning Module and (2) an Industrial Pretreatment Wastewater Discharge Application for the proposed facilities

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Karl's e-mail cover sheet stated.....(Attached) is a copy of the revised utility plan showing a revised sewer lateral configuration to avoid the existing water main on West Valley Road. We are working with Base Engineering to resolve this issue.

Date of letter: 12/21/2016

Letter from: Robert Bauer, Base Engineering (e-mail)

Letter sent to: Karl Schreiter, Chris Cope

Subject: Lanark Commons ----- Plan Review

Thanks to you and the entire Water/Sewer Dept. staff in quickly accommodation the location probes and working toward a solution with the water-sewer conflict. I'm now looking at access for water via Lanark Road per Chris's suggestion. I or Tony will contact Chris.

Date of letter: 1/4/2017

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

Letter sent to: Tom Beil, UST

Subject: EDU Meeting Notes

As you may know, Karl, Gary and I met with Tim and Bill this morning to discuss the rationale for charging the Borough the standard Connection Fee for the 26 Anjar EDU's. This fee and the sale of the EDU's is memorialized in an Agreement executed by the Borough and the Township, dated August 22, 2016. You will recall that pursuant to that Agreement, the Township sold to the Borough 26 Anjar EDU's for use by the developer of the Oxford Ridge Subdivision.

Specifically the Borough asked for justification for the price of \$3,140.00, which represents the Township connection fee applicable to all developers. The Borough was concerned that the fee was not equitable given the fact that the Borough owns capacity in the WWTP and therefore should not be charged the treatment component. Karl explained that the fee was justified as the Borough has exceeded its capacity allocation, and that it is equitable for the Borough to pay the additional treatment component. I believe that Tim and Bill were satisfied with the explanation and the meeting moved on to the purchase of the remaining 74 EDU's authorized by the prior agreement which resolved the arbitration.

Specifically the Borough wishes to purchase the remaining 74 EDU's at the current price of \$3140.00 per EDU. Tim and Bill feel that it is in the best interest of the Borough to "bank" the EDU's to stimulate re-development projects in the Borough. We suggested that Tim send a letter to you today with copies to the other attendees so that the matter might be addressed Monday night at the Authority meeting.

Finally, it should be noted that Tim delivered a check in the amount of \$81,640.00 representing payment for the 26 EDU's. With that it is hoped that the Oxford Ridge Planning Module can move forward. Please note that I gave the check to Bob Kassel.

Date of letter: 1/6/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Borough of Coopersburg.....Oxford Ridge Subdivision

Ref: PADEP Sewage Planning Module dated 1/24/2016

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Proposed subdivision will be built in the Borough east of Station Avenue between North Second Street and the former Reading Railroad right of way. The subdivision will consist of 26 residential units.

The capacity for this subdivision will be included in the overall allocation of 100 additional EDU's for the Borough. In addition, the Borough paid for the additional 26 EDU's as outlined in the EDU Purchase Agreement dated 8/22/2016.

*****end of correspondence for January

SOLICITOR'S REPORT:

The Solicitor's Report dated January 9, 2017 was presented by Solicitor Brienza.

Solicitor Brienza told the Authority there is no update from Brinley.

Solicitor Brienza said the judge still has not made a ruling on the Benkini lawsuit.

Mr. Brienza said there has been no update from Saucon Crossings since the last meeting.

Mr. Brienza said the last meeting on the Tapping Fee Ordinance is scheduled for tomorrow at 1 p.m. The plan will be complete by next month.

Solicitor Brienza asked if he could remove the Mountain Glen issue from the list. Mr. Cope asked that the item remain on the list. He said Mountain Glen is still doing the stormwater layout and this caused other issues that need to be worked out.

Mr. Brienza updated the Authority on Coopersburg's potential purchase of 74 additional EDU's. There was a meeting last week with Mr. Schreiter, Solicitor Brienza, Solicitor Dinkelacker, Tim Paashaus and Bill Erdman from Coopersburg Borough.

Mr. Schreiter said they paid for the 26 EDUs for Oxford Ridge and are ready to pay for the additional 74 units now, even though they do not have anyone waiting to connect. Coopersburg believes they will be able to sell some to the "rehab" market and to expanding businesses if it is known they are available.

This meeting was to discuss the fee per EDU. They wanted to pay the original price they paid for EDUs back in the 1970's which was around \$500 per unit. The current fee is \$3,200. Solicitor Brienza said there is no legal or engineering reason not to sell and Township staff agrees. Mr. Brienza will draft paperwork for the sale that mirrors the agreement for the 26 EDUS for Oxford Ridge.

ENGINEER'S REPORT

Karl Schreiter, PE, presented Engineer's report dated January 6, 2017.

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Mr. Schreiter said the Sunset Lane/Ackerman's Lane sewer design may or may not be bid in 2017 because it must be done in conjunction with the overall road project. He is waiting for Mr. Beil to decide.

Mr. Schreiter said Coopersburg Borough paid for the 26 EDU's for Oxford Ridge. Therefore, their Planning Module can be approved.

Mr. Schreiter said the Lanark Commons Planning Module is ready to be approved.

On the Industrial Pretreatment Program, Mr. Schreiter said the letters mailed to each permittee in December have begun to come back in.

Mr. Schreiter has two motions that need approval tonight.

SUPERINTENDENT'S REPORT:

Mr. Cope said staff has been flushing and TVing lines in the Saucon Creek Estates area.

Mr. Cope said there is an upcoming meeting with PennDot engineers about the Camp Meeting Bridge and what water/sewer work needs to be done.

TREASURER'S REPORT:

Treasurer Mark Sullivan submitted the report.

Mr. Sullivan explained there were no disbursements, only interest added. Mr. Sullivan will be in touch with Bob Kassel to give him information on the Authority members' pay.

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

Motion passed unanimously.

MOTION (S):

Motion made and seconded to approve the PADEP Planning Module for the Oxford Ridge Subdivision. Ref: SEA letter dated 1/6/2017.

Motion passed unanimously.

Motion made and seconded to approve the PADEP Planning Module for the Lanark Commons Subdivision. Ref: SEA letter dated 12/20/2016.

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".

B. Sewer Tapping Study - update

Review the Updated Sewer Tapping Fee Report and Exhibits as submitted by D. Busch and sent by e-mail to the members of the Authority on 11/1/2016.

Solicitor Brienza estimates it will be April or May before this ordinance will be advertised and approved by the Board of Supervisors.

C. Easement Problems

NEW BUSINESS:

A. Purchase of EDU's by the Borough of Coopersburg

Mr. Schreiter explained the Borough needs to follow protocol in the settlement. The Borough needs to tell the Township how many EDUs they are using and for what use. Solicitor Brienza said if the Borough has an overflow, we can take back the EDUs they have not yet used. Mr. DeMatos said it has been determined that we have the capacity for 100 units so he thinks we legally have to sell them 100 units under the Anjar rule. Solicitor Brienza agreed.

Motion made and seconded to approve selling 74 EDU units to Coopersburg Borough at the current rate of purchase which is subject to the sales purchase agreement.

Motion approved 3-0-2 with Mr. Sullivan and Mr. Holmes abstaining.

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, February 6, 2017 @ 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 7:05 pm.

Respectfully submitted,

Ryan Holmes
Secretary