

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

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.

MEMBERS PRESENT:

Bruce Bush – Chairman
Joaquin (Jack) DeMatos - Vice Chairman
Ryan Holmes - 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

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:

Mark and Noah Bamburger. Noah observed the meeting in order to earn his Boy Scout Communications Merit Badge.

PUBLIC COMMENT:

None

MINUTES:

A motion was made and seconded to approve the meeting minutes for June 5, 2017 with the following amendment made to the Solicitor's Report:

Added word "been" to sentence "Mr. Brienza said that most easement issues have been addressed at Mountain Glen..."

Motion passed unanimously.

CORRESPONDENCE COMMENTS:

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

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

(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: 6/20/2017, 6/30/2017

Date of letter: 6/5/2017

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

Letter sent to: Bruce Bush

Subject: Promenade Easements

(Gary forwarded the following e-mail from Tom Dinkelacker dated 6/5/2017 to Joe Fitzpatrick)

Joe: Please see attached diagram prepared by Karl. We are having a problem.

If you look at Karl's diagram, we need an easement through the Shops. That's the easy part as it runs mostly through the access road. It only hits the upgraded hard-scape at the corner of the Theater.

Unfortunately I have no information on the off-site easements to the west and to the northeast of the Shops. These would have been through lands formerly of Stabler, now Lehigh. We have no record of easements ever having been obtained from Stabler, most likely by Poag. Please advise as to whether easements exist with Stabler or Lehigh for the off-site sewer line.

Date of letter: 6/6/2017

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

Letter sent to: Bruce Bush and Karl Schreiter, SEA

Subject: Camp Meeting Road Bridge Replacement Project

As discussed at last night's meeting, the subject project is delayed until 2018.

Date of letter: 6/6/2017

Letter from: Sandy Diacogiannis, UST (e-mail)

Letter sent to: Gary Brienza, Solicitor

Subject: July Scheduling

The public notice will go in the Morning Call on Friday 6/16/2017 (meeting rescheduled from 7/3 to 7/5).

Date of letter: 6/6/2017

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

Letter sent to: Tom Dinkelacker, DDA Law Office

Subject: Ordinance

The Authority reviewed and discussed the draft ordinance, 42M, last evening. There were 2 comments regarding minor "typo" things. First, at M.2.2.2 (page 3) there is an extraneous "and other township"....obviously one of them should have been removed... Second, at M.5 there is a listing of the fees to be paid in a "forced" connection situation. The second item says "customer service fee"...it should be "customer facilities fee". Finally, while there was discussion on 2.1 versus 2.1.1 (definitions seemed to be essentially the same thing twice), the Board agreed to leave it alone...You

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

may want to review those though and discuss further with Karl IF you have a different view.

Date of letter: 6/6/2017

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

Letter sent to: Tom Beil, UST

Subject: Ordinance 42M

Please be advised that the USTMA reviewed and discussed the draft Ordinance 42M last evening. There were a few minor typographical issues that were noted. I sent an email to Tom D. about the minor changes which were copied to you as well. I do not view those items as being any impediment to proceeding. Therefore, this email will serve as confirmation that the USTMA authorized me to advise that 42M is recommended by the USTMA and further that the USTMA agrees that the Township should proceed to adopt/enact the Ordinance. Please confirm that this email is sufficient or if you require a more formal notification.

Date of letter: 6/6/2017

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

Letter sent to: Gary Brienza, Solicitor

Subject: Ordinance 42M

Your e-mail (dated 6/6/2017) is sufficient.

Date of letter: 6/7/2017

Letter from: Karl Schreiter, SEA

Letter sent to: William Ginder

Subject: Camp Elim Manhole

(Karl approved the products to be used on this project)

Date of letter: 6/7/2017

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

Letter sent to: L Miller, UST and others

Subject: TOA Phase 3 Escrow Release

(Attached) is the executed release form for TOA Phase 3. This was approved by the USTMA on Monday night.

Date of letter: 6/8/2017

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

Letter sent to: Karl Schreiter, Tom Dinkelacker, DDA Law Office and others

Subject: Sewer and Water Line Easements and Bills of Sale --- Promenade Shops

Yes...Karl and I just discussed....

while it would seem that the descriptions here include the off-premise easements we need, and while it would make sense that those easements would have been provided and recorded back when construction was taking place (or at least when the center was ready to open), we do not have the actual off site easements...I would imagine (assuming they have been recorded) that they will have to be assigned to us? Also I noted that there were water line easement descriptions in the packet (at least I think) so

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

those would also be deleted as with the front of the center mentioned by Karl below....
Finally Karl confirmed that there are no "internal" lines or laterals as part of the packet....

G

From: Karl Schreiter [mailto:kes1@aol.com]

Sent: Thursday, June 08, 2017 3:28 PM

To: Tdinkelacker@ddalawoffice.com; tbeil@uppersaucon.org; Gary Brienza
<gabrienza@pzlblaw.com>; ccope@uppersaucon.org; jguignet@uppersaucon.org

Subject: FW: Sewer & Water Line Easements & Bills of Sale - Promenade Shops

Importance: High

Tom: I reviewed the easements provided by Joe. They appear to cover all of the areas we wish to be dedicated.

However, they also show the sanitary sewer inform of Buildings 600, 700, and 800 (front of the center) that we decided that we no longer want due to restoration issues. Also, there were no recorded easements, just descriptions.

Date of letter: 6/15/2017

Letter from: Karl Schreiter, SEA

Letter sent to: William Ginder

Subject: Camp Elim

We have enclosed the following drawings:

Camp Elim - RV Sewer Lateral; Typical House Connection; Intermediate Cleanout Sheet; Cleanout Pipe Connection; Summary of Requirements for Residential Sanitary Sewer Connections.

All elevations must be confirmed prior to actual construction. The ground elevation at the terminal cleanout connection should be checked to assure that it is as shown on the drawings. The entire sewer line must have a minimum cover of 4 feet.

All piping used in this project must be SDR-26 PVC with push-on type joints.

Date of letter: 6/19/2017

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

Letter sent to: Gary Brienza, Solicitor

Subject: 42-R Rate Ordinance

(Attached) is a red-lined version addressing your comments regarding M.2.1 and M.2.1.1; M.2.2.2 and M5.1. I will now put the document in an adoptable ordinance form.

Date of letter: 6/19/2017

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

Letter sent to: Tom Beil, UST

Subject: Sewer Rate Ordinance

(Attached) is the Ordinance amending Ordinance 42-R to add Subsection M relating to sewer rates (previously reserved). As you know I recently revised the language to address Authority comments. I have now placed the document in Ordinance form ready for enactment. Where shall we go from here? If you give me a date for adoption I will do the public notice.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

*****end of correspondence for July meeting

SOLICITOR'S REPORT:

The Solicitor's Report dated July 5, 2017 was presented by Solicitor Brienza.

Mr. Brienza said the Brinley Court developer still has not submitted the required planning module update. There have been no updates since the June meeting. Mr. Schreiter said that Traditions of America is moving forward with their portion so Brinley needs to complete their section of the study. This was requested two months ago. Solicitor Brienza said he will send a reminder letter to the Brinley developer.

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

Mr. Brienza said there has been no response from Saucon Crossings since they were notified they cannot use a single lateral to service two homes. Mr. Brienza said he met with Solicitor Dinkelacker today. Mr. Dinkelacker will reach out to Saucon Crossings' attorney concerning the lateral and also about the easement to Chestnut Street that is needed.

Mr. Brienza said the tapping fee ordinance may be ready for a hearing at an August Board of Supervisors meeting.

Mr. Brienza said most easement issues have addressed at Mountain Glen with exception to the one lot where the corner of the house is in the easement. The remaining issues need to be resolved with the conservancy.

Mr. Brienza said in regard to the "53" properties, he still has not received a response.

Concerning the Blue Belle/Weyhill easements, Solicitor Brienza, Mr. Schreiter and Mr. Guignet visited the property a month ago. At that time, the proposed easement was not staked out. Mr. Brienza requested staking. There was a follow-up meeting today and the easement is now staked out. However, they found there are seven or eight trees in the proposed easement area. He said the topography is on a slope and is uneven making it impossible for a jet vac truck to get through. He said the easement addition will require grading of a homeowner's side yard. Mr. Cope said there may be an issue between the developer and the homeowner. The developer put the trees in as a buffer but they will need to be removed.

Mr. Brienza confirmed that the proposed 10' wide easements are an issue. They are piggy-backing on the 10' utility easement to gain the required 20' for the sewer easement. He said they are working on some options to resolve this.

Solicitor Brienza and Solicitor Dinkelacker also discussed the Promenade Shops easements at their meeting today. Mr. Dinkelacker's office is trying to find out if the easements were actually created, approved and recorded. Mr. Brienza thinks they may

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

be further down the line than previously thought as to the timeline for the Oakhurst Drive sewer project.

ENGINEER'S REPORT

Karl Schreiter, PE, presented Engineer's report dated June 30, 2017.

Mr. Schreiter said the Preston Lane slip-lining project is scheduled to begin next week.

On the Industrial Pretreatment Program permits, Mr. Schreiter said a new permit was issued to Aldi but they have not returned it with a signature. He will follow-up with them.

SUPERINTENDENT'S REPORT:

Mr. Cope said they are preparing for the Preston Lane slip-lining project and will start road closures next week.

Mr. Cope said that Mr. Ginder, owner of the Camp Elim, met with him, Mr. Schreiter and Joe Geib twice recently about his planned improvements for RVs. Mr. Ginder was notified of the proper equipment and procedures that the Township requires. On Monday, July 3, Mr. Ginder installed a water line and a sewer lateral at incorrect specs and did so without Township approval. Mr. Ginder was sent a cease and desist order and he will need to backfill the unapproved work.

TREASURER'S REPORT:

Mr. Sullivan reported that the current balance is \$1,469.42.

MOTION (S):

None

UNFINISHED BUSINESS:

A. Unconnected Sewer Analysis

Reference SAE's letter dated 1/8/2014. Study identified 53 potential properties that should be connected to the sanitary sewers. Status update on the letter that the Authority recommends be sent to the "53".

B. Sewer Tapping Study - update

C. Easement Problems

D. Oakhurst Drive Project

Ref: Meeting minutes from the March 6, 2017 meeting

Mr. Bush decided to wait until the August meeting to set a date for Oakhurst Drive residents to be updated on the project.

NEW BUSINESS:

None

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Wednesday, July 5, 2017

4774 Saucon Creek Road

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be **Monday, August 7, 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 6:34 pm.

Respectfully submitted,

Ryan Holmes
Secretary

