

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:04 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

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:

Megan Borascious and her father, Al Borascious.

PUBLIC COMMENT:

Megan is interested in purchasing the property at 1475 Station Avenue and wanted to have an update on the status of adding public sewer service at the property. She said the current system is approved for temporary use. Mr. Schreiter reviewed drawings of the plan with Megan and her father. He said easement documents for the current owner will be ready to sign within the next two weeks.

Mr. Schreiter said at earliest, construction will begin in Spring of 2018 depending on weather. Mr. Cope added that an easement agreement from the neighbor, Mrs. Van Pelt needs to be signed before construction can begin.

MINUTES:

A motion was made and seconded to approve the meeting minutes for October 2, 2017 as presented.

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 Monday, November 6, 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: 10/18/2017, 10/24/2017, 10/25/2017, 10/30/2017, 11/2/2017, 11/3/2017, 11/4/2017

Date of letter: 10/1/2017

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

Letter sent to: Gary Brienza, Solicitor

Subject: Ginder Letter

Looking at 42-R, I believe the next step might be an Administrative Fine (j.2.6).

Actually, I would like to uninstall this lateral ourselves and invoice Mr. Ginder for our time and materials, but I do not see that option in 42-R. With Trent's Cease and Desist as well as Gary's two letters to Mr. Ginder, I believe we have already progressed through the below Administrative Enforcement remedies.

My suggestion is a third letter to Mr. Ginder with a determined fine listed if appropriate action is not taken immediately. Unless we believe there is a more appropriate pathway through the property maintenance code or building code as (previously) mentioned by Tom Dinkelacker.

Date of letter: 10/3/2017

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

Letter sent to: Chris Cope, UST

Subject: Ginder Letter

I am not certain as to whether we have property maintenance/building code issues. If so Keystone would be the appropriate entity. My suggestion is to proceed with an administrative action under 42-R enforcement provisions. I think this is why we put these regulations in place. Gary and I should review the letter before it goes.

Date of letter: 10/3/2017

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

Letter sent to: Tom Dinkelacker, DDA Law Office and Chris Cope, UST

Subject: Ginder Letter

I agree.

Date of letter: 10/4/2017

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

Letter sent to: Tom Dinkelacker, DDA Law Office

Subject: Tapping Fee Ordinance

Just wondering about the status re: adoption of the new tapping fee ordinance.

Date of letter: 10/4/2017

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

Letter sent to: Gary Brienza, Solicitor

Subject: Tapping Fee Ordinance

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Tom Biel asked to review the ordinance prior to moving it forward. I'm not sure where he is in that process. I'll touch base with him and let you know.

Date of letter: 10/4/2017

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

Letter sent to: Karl Schreiter, SEA

Subject: TOA-LVGC

I forgot that she said mid-October.....that gives her about 10 more days....so let's see if it comes in at that point.

Date of letter: 10/5/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Borough of Coopersburg.....N. 4th Street Residence

We reviewed the PADEP Sewage Planning Exemption Form dated 8/10/2017. The proposed house will be built in the Borough of Coopersburg along North 4th Street just south of the intersection with E. Fairmount Street. The subdivision will consist of one residential unit. The unit will be serviced by an existing Borough sewer. The Borough has 74 future allocated connections. This subdivision will use one of these allocated connections.

We recommend that the UST approve this Planning Exemption.

Date of letter: 10/5/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Aldi Parking Lot Expansion

We reviewed the Parking Lot Expansion document dated 9/7/2017.

Proposed project will be built in the area northeast corner of the intersection of Saucon Creek Road and East Saucon Valley Road. Project includes a proposed expansion of parking facilities located on the south side of the existing building complex.

Plans do not reflect any changes to existing structures. However, the plans show existing sewage facilities such as sewer laterals and the USTMA Interceptor located to the east of the property. These facilities must be shown to evaluate if any sewage facilities are impacted by the project.

Date of letter: 10/6/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

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

We reviewed the UST Sewage Facilities Planning Module and Request for PADEP Planning Module Approval dated 11/18/2016, revision date of 10/2/2017.

Proposed subdivision appears to be comprised of one lot located between PA Route 309, Lanark Road and West Valley Road. The subdivision was modified to eliminate the proposed bank building and enlarge the proposed medical building to a 43,142 sf 3-story Office Building.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Estimated additional sewage flows from the subdivision will be 1,582 gpd. Estimated peak hydraulic loading from this addition would be 6,300 gpd in the collection system and 4,000 gpd in the North Branch Interceptor. Based on the Township equivalent dwelling unit flow of 226 gpd/edu, this projected flow represents 7-edu's. There is no method for verification of the projected water use. Therefore, the Township should monitor future water use at the building to assure that usage is below the allocated quantities shown in the planning module. The building owner may be subject to additional tapping fee charges if water use exceeds estimates shown in the module application.

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

We recommend that the USTMA and the USSTA approve this module. In addition, the Township must process the PADEP Planning Module Exemption Request Form and send it to PADEP.

Date of letter: 10/9/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Dirt Work Solutions

Subject: Posh Properties.....Sanitary Sewer Submittal Review

(Karl approved some of the items submitted and disapproved other items. See letter for details)

Date of letter: 10/12/2017

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

Letter sent to: All members of the Authority

Subject: 2018 Budget Request Items for the Sewer Collection and Sewer Plant Department's

As requested from the October meeting, (attached) is my requested budget line items for the subject. Note these are only requested items at this point and cuts will most likely occur in some form.

Date of letter: 10/13/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Traditions of America.....Request for partial release of Sanitary Sewer Escrow Monies Phase 3 (Second request) and similar request for Phase 4 (First Request)

By request dated 10/10/2017, Traditions of America has requested partial release of escrow monies associated with the construction of the sanitary sewers for Phases 3 and 4 of the subdivision.

We recommend that the Authority approve the release of 90% of the escrow monies at this time. The remaining 10% should be held by the Township as retainage.

Date of letter: 10/13/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Subject: High Hotels Ltd.....Stabler Lot 10.....Request for partial release of sanitary sewer escrow monies (1st request)

By request dated 10/12/2017 High Hotels, Ltd. has requested partial release of escrow monies associated with the construction of sewers for the High Hotel project located at Stabler Lot #10. This sewer is a private lateral that will not be dedicated to the USTMA. All testing and inspection of the sewer mains including video inspection of the sewer segment included with this request have been completed and found to be acceptable. We recommend that the Authority approve the release of 90% of the escrow monies. The remaining 10% should be held by the Township as retainage.

Date of letter: 10/13/2017

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

Letter sent to: Bruce Bush

Subject: Brinley Court

(Gary forwarded an e-mail from Tom Dinkelacker to Timothy Paashaus, Coopersburg Borough, dated 10/13/2017)

Tom's e-mail to Paashaus was regarding a meeting with Atty. Gundlach and Brian Grant regarding the process/project moving forward.

Note: Because of the length of the e-mail, a copy of this e-mail was sent by e-mail to each member of the Authority on 10/25/2017.

Date of letter: 10/16/2017

Letter from: Tom Dinkelacker, DDA Law Office

Letter sent to: Tom Beil, UST and others

Subject: Promenade Shops.....On-Site Sanitary Sewer Easement

(Attached) is the easement agreement. You should receive bills of sale for off-site sewers. Note the enhanced repair provisions in paragraph 2.

Date of letter: 10/18/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Bruce Bush

Subject: Borough of Coopersburg.....Cooper Farm Subdivision.....Preconstruction Meeting

(Attached) is a copy of the minutes from the meeting held on 10/12/2017.

Highlights of the minutes of the meeting:

Work to start about week of 10/23/2017

Contractor must contact Chris Cope at least one week prior to connection to UST sewers. UST staff must be on-site when Contractor connects to existing manholes.

UST staff to install any sewer lateral saddles to connect to existing sewer.

Both the Contractor and Developer were briefed on the Authority's inspection requirements regarding repairs and acceptance of sewers under the Authority's flushing program.

Bob Blanchfield will inspect all sewer laterals that connect directly to USTMA sewers along Gun Club Road.

Date of letter: 10/19/2017

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: Locust Valley Country Club/Traditions of America.....Plan Review

We reviewed The TOA at Locust Valley, as prepared by Pennoni Associates, Inc.,
Dated 10/13/2017.

Proposed subdivision is located in Existing Sewer Service Area 11 as outlined in the Township's 2001 Act 537 Plan Revision. Requirements for connection to the sanitary sewer system are outlined in "Sewer Connection Plan (SCP) for the South Branch Interceptor Drainage Basin (SEA, April 2008 as revised September 1, 2016).

The SCP has allocated 125 units to be built on the Locust Valley Golf Club Property. Units will be serviced through a proposed pumping station located on the TOA site, the pump station will transfer sewage from this subdivision along with sewage from the proposed Brinley Court subdivision to MH#1 located at the intersection of White Oak Drive and Gun Club Road. A proposed clubhouse facility will be built and serviced by a separate grinder pump station. This will utilize the 3 existing edu's associated with the current LVCC facilities. The system will discharge sewage from the clubhouse to the existing sewer located along Locust Valley Road.

(Karl then listed many comments to the sheets that he reviewed. See the actual letter for his specific comments.)

WE discussed the PADEP Planning Module with representatives from Pennoni. The module has not been completed and will forward a revised version to us when it is completed. We forwarded a draft copy of the Special Study to Pennoni.

Date of letter: 10/19/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Patricia Lang, UST

Subject: 3939 West Drive.....Preliminary/Final Land Development Plan Review

We reviewed the Plan dated 7/6/2017 with revisions through 10/9/2017

Proposed project will be built in the area along West Drive. Project will include a proposed 10,000 sf expansion to the existing building on this site. Proposed buildings must utilize the existing sewer main that is located east of the proposed development project. The area is serviced by the North Branch Interceptor.

(Karl had no further comments on the sheets that he reviewed.)

Plan did not include any revised flow projections for the proposed building. This information is needed to determine if sufficient capacity is available to provide sewage service to the proposed facility. Developer must submit a revised Township Planning Module for this project. Developer must submit an IPP Wastewater Discharge Permit Application to document if any cooking facilities will be included in any of the buildings.

Date of letter: 10/30/2017

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

Letter sent to: Megan Borascius, 1475 Station Ave

Subject: UST Website Inquiry

Thank you for contacting the Township regarding public sewer extension on Station Ave. While no agreements or easements have been officially obtained there are on-going measures towards the completion of these. The USTMA is aware of the need to

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

provide public sewer in this area and is hopeful that this can occur in 2018, however these agreements and easements must be first offered and agreed upon. Feel free to attend the next Municipal Authority meeting on 11/6 at 6 PM at the UST Water/Sewer Dept. to hear the most up-to-date progress of this project.

Date of letter: 10/31/2017

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

Letter sent to: Bruce Bush

Subject: USTMA --- Ginder Letter

(Attached) letters will be sent to Mr. Ginder this week. He is the individual that we had non-compliance issues with at the religious camp/cabins across from the Township Building on Camp Meeting Road.

Date of letter: 10/31/2017

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

Letter sent to: M Sweeney, FBL Law and others

Subject: Promenade Shops --- Sewer Dedications

The Sewer Authority meets next week and the approval of the bills of sale and easement will be on the Agenda. I will be sending a series of 4 e-mails as follows:

1. Bill of Sale - Off-site sewer and exhibits
2. Bill of Sale - On-site sewer and exhibits
3. On-Site sewer - easements and exhibits; and
4. Township Resolution accepting Bills of Sale

Gary and Karl will present the documents to the Sewer Authority for approval at the meeting next Monday.

Tom Beil will place the Resolution accepting the Bills of Sale on the next available agenda of the BOS.

Date of letter: 11/1/2017

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

Letter sent to: M Sweeney, FLB Law and others

Subject: Promenade Shops.....Township Resolution Accepting Sewer Dedications

(Attached) is Drawing C700, the Overall Utility Plan for the Shops. As you can see it is color-coded with the yellow representing the off-site sewer and the pink representing the on-site sewer. This document will be Exhibit C to the Off-Site Bill of Sale and Exhibit B to the On-Site Bill of Sale.

Date of letter: 11/1/2017

Letter from: M Sweeney, FLB Law (e-mail)

Letter sent to: Tom Dinkelacker, DDA Law Office

Subject: Promenade Shops.....Township Resolution Accepting Sewer Dedications

As a follow-up, I was able to speak with our clients; they understand and are fine with the set of documents you sent last evening, but still run everything by Prudential's counsel. They are aware of your timeline and we are working to facilitate this last level of review as quickly as possible.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Date of letter: 11/2/2017

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

Letter sent to: Tom Beil, UST and others

Subject: Amendment to Inter-Municipal Agreement --- Brinley

(Attached) is a draft agreement to amend the original amendment to the Inter-Municipal Agreement to re-allocate sewage flows through the Borough. As you know, the OLFE tanks are no longer necessary and the flows are going down Gun Club Road. Advise as to the adequacy of this draft. If acceptable, I will forward to Tim Paashaus with a copy to Atty. Freimuth.

Date of letter: 11/2/2017

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

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

Subject: Brinley Court TOA Special Act 537 Study

Here is a link to download (the long downlink was then stated) the Brinley Court / TOA Special Study. This study is over 300 pages with all of the Planning Module information.

Date of letter: 11/3/2017

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

Letter sent to: Bruce Bush and others

Subject: Revised Brinley Ad

(Here) is the revised ad to be published regarding the Special Study for Brinley/TOA. (Note: The ad states that the UST BOS will meet on 1/22/2018 to consider a revision to ACT 537 Plan to reallocate sewage capacity in the Borough of Coopersburg sanitary sewage collection system and sewage facilities planning module for the Brinley Court Land Development. Also a formal presentation of the Study and Planning Module will be made at the BOS meeting on 12/18/2017.)

*****end of correspondence list for November

SOLICITOR'S REPORT:

The Solicitor's Report dated November 6, 2017 was presented by Solicitor Brienza.

Solicitor Brienza said the planning module Traditions of America submitted for the LVGC project was deficient and Mr. Schreiter could not complete the special study without additional information. Mr. Brienza said Traditions of America just submitted the supplemental information to Mr. Schreiter today. Mr. Schreiter said the information will be presented to the Board of Supervisors at their meeting on December 18. He said this is followed by a 45 day waiting period. If the Board of Supervisors approve, then the planning module will be submitted to DEP for approval.

Solicitor Brienza said the judge finally ruled to dismiss the Benkini lawsuit. Mr. Benkini may file an appeal before November 19. He doubts Mr. Benkini would be successful with this because of his limited legal knowledge.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Mr. Brienza said the Saucon Crossings project is on hold until the owner submits drawings to the Township.

Mr. Brienza said the Township is looking to push off approval of the new tapping fee ordinance until 2018.

There is still an access issue at Mountain Glen on land owned by the Conservancy. Mr. Schreiter said he needs Hanover to prepare easement paperwork. Patricia Lang told Mr. Cope that cleanouts and manholes are not installed correctly. Mr. Cope's team is to fix the issues and the homeowners association will pay the Township for repairs.

Concerning the Blue Belle/Weyhill easements, Solicitor Brienza said paperwork for purchasing the needed equipment should be ready next month.

Mr. Brienza said he received all of the bill of sale and easement paperwork needed from the Promenade Shops in order to begin the Station Avenue sewer extension project.

Solicitor Brienza said a Notice of Violation for Camp Elim was sent via certified mail to two addresses on file for the Camp. Mr. Brienza said they have 30 days to comply. After 30 days, they will be fined \$100 per day.

ENGINEER'S REPORT

Karl Schreiter, PE, presented Engineer's report dated November 3, 2017.

Mr. Schreiter said the Sunset Drive/Ackerman's Lane project has been pushed off until 2018. Sewers will be installed in 2018 and paving will happen in 2019.

On the Oakhurst Road sewer project, Mr. Schreiter said no PADEP permit is needed, only one from PennDOT. Mr. Bush asked if the residents should be invited back to a meeting to discuss project details. Mr. Schreiter agreed. The Authority is in agreement to invite the residents to the January Municipal Authority meeting.

Mr. Schreiter reviewed the revised planning module for Lanark Commons. He said the revision is because the lot was originally to have a medical building and a bank building. Now there will be only one building.

Mr. Schreiter has three motions for approval at tonight's meeting.

SUPERINTENDENT'S REPORT:

Mr. Cope said they flushed and TV'd lines in the Flint Hill area and sealed Manholes on Northwood and Brookridge Drives.

Mr. Cope said there were cleanout issues at Dun & Bradstreet that were corrected.

Staff inspected the force main at Blue Ridge Estates and the issue was corrected.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Mr. Cope believes the 2018 budget will pass without any reductions.

Mr. Cope said staff has been receiving lots of calls for PA1 requests to mark utility lines. He said there have been over 200 calls recently.

TREASURER'S REPORT:

Mr. Sullivan reported the current balance is \$1,351.06.

MOTION (S):

A motion was made and seconded to approve an escrow release of a total of \$393,784.16 for TOA Lanark Site Phases 3 and 4; Ref: SEA letter dated October 13, 2017.

Motion passed unanimously.

A motion was made and seconded to approve an escrow release of \$87,027.48 for the High Hotels (Stabler Lot #10) facility; Ref: SEA letter dated October 13, 2017.

Motion passed unanimously.

A motion was made and seconded to approve of the Township Planning Module for the Lanark Commons Subdivision; Ref: SEA letter dated October 6, 2017.

Motion passed unanimously.

A motion was made and seconded to approve the onsite and offsite bill of sales and easement for the onsite sewer at the Promenade Shops.

Motion passed unanimously.

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".

Mr. Bush drafted a letter that Solicitor Brienza reviewed and approved. Mr. Bush wanted input from the Authority members before it is forwarded to Tom Beil.

B. Sewer Tapping Study - update

C. Easement Problems

D. Oakhurst Drive Project

Ref: Meeting minutes from the March 6, 2017 meeting. Installation of gravity and low pressure sewers to the area east of the I-78 bridge.

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, November 6, 2017

4774 Saucon Creek Road

Mr. Cope will send letters to the residents inviting them to the January meeting.

E. Saucon Valley Crossings Mobile Home Park
Update on the status.

F. Station Avenue Sanitary Sewer (Spring Valley Area)
Sewer extension from MH# BB99 located adjacent to Weyhill Drive will be installed to service existing homes located along Station Avenue.

NEW BUSINESS:

A. 2018 Reorganization and Regular Meeting Dates

* Reorg meeting – 1/8/2018

* Regular meetings – 1st Monday of each month except for the September meeting which will be held on Tuesday, 9/4/2018.

* Time of meetings – 6pm

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be **Monday, December 4, 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 7:08 pm.

Respectfully submitted,

Ryan Holmes
Secretary