

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, December 4, 2017

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:02 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:

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

STAFF ABSENT:

Gary A. Brienza, Esquire, Solicitor

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 November 6, 2017 as presented.

Motion passed unanimously.

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: 11/16/2017, 11/22/2017, 11/28/2017, 11/29/2017, 11/30/2017, 12/2/2017

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Date of letter: 11/3/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Mike Heffelfinger, Scheuermann Excavating, Inc.

Subject: Borough of Coopersburg.....Cooper Farms Subdivision.....Sanitary Sewer Submittal Review

Karl approved the use the manholes for use on this project.

Date of letter: 11/6/2017

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

Letter sent to: Tom Dinkelacker, DDA Law Office

Any update on the approval of the new or revised ordinance.....42R or 42L whatever.....

Date of letter: 11/6/2017

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

Letter sent to: Gary Brienza and others

Subject: Curly Horse - Sewer Payment Letter

(Attached was a copy of a letter dated 11/6/207 to Michael C. Deschler, Littner - Deschler & Littner)

The letter stated that the enclosed check in the amount of \$92,642.00 was being sent because USTSTA and USTMA acknowledge that there exists a dispute between the developer and the Township/Authority as to the dollar amount of the reimbursement due to your client for the construction of the off-site sanitary sewer. The check is based on the cost estimate prepared by the Township's Sewer Engineer.

Date of letter: 11/6/2017

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

Letter sent to: Gary Brienza, Solicitor

Subject: Tonight's UST

Tom Beil wants to wait until the new year (for beginning the approval process for 42R/L).

Date of letter: 11/6/2017

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

Letter sent to: T Paashaus, Coopersburg Borough and Tom Beil

Subject: Brinley Court - Amendment to Inter-Municipal Agreement

It is my understanding that the (attached) amendment to the IMA is acceptable. If so, please confirm and place the matter on the next available agendas for the municipalities. The amendment is necessitated by the elimination of the OLFE Facilities at Brinley. As per my conversation with Tim and Karl, there is no objection to allowing the re-allocation to remain in place.

Date of letter: 11/7/2017

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

Letter sent to: S Diacogiannis, UST

Subject: 2018

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This will confirm that the tentative schedule for 2018 meeting of the USTMA is acceptable. The Board will formally approve same the January reorganization meeting.

Date of letter: 11/7/2017

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

Letter sent to: P Lang, UST

Subject: TOA Lanark Site Sanitary Sewer Escrow Release...Phase 3 and 4
(Attached) are the approved escrow release forms for the subject project. Please process.

Date of letter: 11/7/2017

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

Letter sent to: P Lang, UST

Subject: Stabler Lot 10 Escrow Release
(Attached) is the approved escrow release for the subject project.

Date of letter: 11/7/2017

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

Letter sent to: Tom Beil, UST

Subject: Van Vliet Easement.....Station Ave. Sewer Extension
Confirming that we have not heard of any modification by Indian Valley Appraisals, I am authorized to offer the sum of \$5000 to Mrs. Van Vliet for the purchase of the permanent easement and temporary construction easement. Please advise.

Date of letter: 11/7/2017

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

Letter sent to: Karl Schreiter, Chris Cope

Subject: Stine Easement Station Ave. Ext.

Since there will be some "tear up" of the driveway....and since it appears that Stine will not be repairing or paying for the repairs after, I am thinking we may need to be VERY SPECIFIC about the remediation language at least for the driveway itself.....I am asking for your thoughts on this.....since it is an old type of driveway (I assume with concrete and not macadam) etc.

Call to discuss or e-mail your thoughts. I think that use of the generic repair language for this might not be our best approach.

Date of letter: 11/7/2017

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

Letter sent to: Gary Brienza, Solicitor and others

Subject: Stine Easement ... Station Ave. Ext.

It seems as if the future homeowner would like the driveway paved but I don't think it should be the Township's sole responsibility to do this since we are providing public sewer so close to the property. My feeling is that we offer, at most, to contribute 1/2 of the cost of hiring a contractor to pave the driveway. If the homeowner does not wish to pay the remaining 1/2, we can simply grade and seed the area or provide a modified stone surface to her specifications for a paving base in the future.

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I left a message with Keri Kane this morning, 1505 Station Ave., about our plans to provide sewer near her property.

Date of letter: 11/7/2017

Letter from: K Freimuth, Fox Rothschild

Letter sent to: Tom Dinkelacker, T Paashaus, Coopersburg Borough and Tom Beil

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

Tim – This office represents Brinley Court, LLC, which is the developer of the Brinley Court project as assignee of Harold and Ann Dieterly. As a follow-up to the Amendment to the Intermunicipal Agreement, I am also attaching a proposed Amendment to Agreement for Sewer Capacity, which will confirm the removal of the \$500 per lot Reallocation Fee referenced in Paragraph 2 of the Sewer Capacity Agreement, as well as confirm the Fair Share Contribution for the traffic signal, as previously agreed. I'm attaching a copy of the original Agreement for Sewer Capacity for your reference as well.

Please review the attached and, if acceptable, please place this Amendment on the next available agenda for the Borough along with the Amendment to the Intermunicipal Agreement.

Date of letter: 11/8/2017

Letter from: Tom Dinkelacker, DDA Law Office

Letter sent to: K Freimuth, Fox Rothschild, T Paashaus and Tom Beil

Subject: Brinley Court - Amendment to Inter-Municipal Agreement

Everyone.....Lets keep each other in the loop so that we are all on the same page moving forward on the sewer issues. The PC is reviewing the Special Study tonight.

Date of letter: 11/8/2017

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

Letter sent to: Chris Cope, UST and others

Subject: Stine Easement --- Station Ave. Ext

I have no problem with the suggestion (Chris's e-mail dated 11/7)....am I making this demand on STINE (is he the current owner and trying hard to sell to the lady who came to the meeting the other night) OR are we asking her to be responsible (remember she is not the one actually providing the easement).

Date of letter: 11/9/2017

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

Letter sent to: Gary Brienza, Solicitor and others

Subject: Stine Easement --- Station Ave. Ext

I believe we would make the offer to Stein as he would be the one we are obtaining an easement agreement from. I'm assuming it would be the future owner's responsibility to her own, separate agreement with Stein.

Date of letter: 11/9/2017

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

Letter sent to: Chris Cope, UST and others

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Subject: Stine Easement.....Station Ave. Ext

We are on the same page. Have the easements done.....I will review them and then send to all of you for review. After we finalized I will do letters with the easements to both Van Vliet and Stine.....I will offer 5k to Van Vliet and I will advise Stine about what we are looking for from him since we are placing sewer right by this residence allowing for it to be sold....are we agreed on this aspect?

Date of letter: 11/9/2017

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

Letter sent to: Gary Brienza, Solicitor and others

Subject: Stine Easement.....Station Ave. Ext

Agreed on my end.

Date of letter: 11/9/2017

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

Letter sent to: Gary Brienza, Solicitor and others

Subject: Authority Meeting Notice for Oakhurst Residents

Review the (attached) meeting notice for the residents on Oakhurst Drive and let me know if you have any suggested changes/edits.

(Note: a copy this e-mail and the suggested letter was sent by e-mail to each member of the Authority on 11/28/2017)

Date of letter: 11/9/2017

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

Letter sent to: Chris Cope, UST and others

Subject: Authority Meeting Notice for Oakhurst Residents

I'm good with this (ref: Chris's draft of letter)

Date of letter: 11/13/2017

Letter from: M Sweeney, Fitzpatrick Lentz & Bubba (e-mail)

Letter sent to: Tom Dinkelacker, DDA Law Office

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

An update: I'm trying to get something back from my client on this ASAP. We just touched base, as their law department had some confusion over the entity names (I explained to them, as you did to me, that the offsite documents need to be filed in the name of the original developer entity, that we did not want to go back to Lehigh for further review, etc.) and will keep you posted if there are any other issues.

Date of letter: 11/13/2017

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

Letter sent to: M Sweeney, Fitzpatrick Lentz & Bubba

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

Thanks for the update. The Bills of Sale are in the name of the developer, not so much because we don't want to go back to Lehigh, but rather because they were built by the developer at the developer's expense and located in easements created by the Plan, all pursuant to the Improvement Agreement. Lehigh really has nothing to do with it. While

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it is true, that I don't want to add Lehigh to the equation, it is my view that Lehigh does not own sewer lines constructed by others in easements established by the Plan. Therefore, Lehigh would have no power to execute bills of sale.

Date of letter: 11/13/2017

Letter from: M Sweeney, Fitzpatrick Lentz & Bubba

Letter sent to: Tom Dinkelacker, DDA Law Office

Subject: Promenade Shops -- Township Resolution Accepting Sewer Dedications

Understood, thanks Tom. I will continue to follow-up with our client on status this week.

Date of letter: 11/14/2017

Letter from: Rachel Dwinal, Paralegal to Brienza, Solicitor

Letter sent to: Mr. Stine

Subject: Easement Agreement

(Attached) find correspondence directed to your attention along with a copy of the Easement prepared in this matter.

Date of letter: 11/14/2017

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

Letter sent to: Bruce Bush

Subject: USTMA Business (52 connection matter)

This issue has been referred to the Public Works Committee of the Board of Supervisors. I will make sure you are invited to the meeting when this issue is discussed. (Ref: Bush's e-mail to Tom Beil dated 11/14/2014).

Date of letter: 11/14/2017

Letter from: Rachel Dwinal, Paralegal to Solicitor

Subject: Van Vliet Easement

(Attached) is the correspondence sent to Mrs. Van Vliet on today's date.

Date of letter: 11/17/2017

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, Proposed Office Space and Daycare as prepared by Bohler Engineering, dated 6/8/2015 with revisions through October 24, 2017.

Karl had no comments on the sheets that were forwarded to him.

Date of letter: 11/20/2017

Letter from: Karl Schreiter, SEA

Letter sent to: Dirt Work Solutions

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

Karl approved the products that were submitted on 11/20/2017.

Date of letter: 11/20/2017

Letter from: Karl Schreiter, SEA

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Letter sent to: Patricia Lang, UST

Subject: Lanark Commons.....Cost Estimate Review

The cost for the sanitary sewers is a total of \$36,643.34.

Based on our review of the estimate, 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.

Date of letter: 11/28/2017

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

Letter sent to: Karl Schreiter, SEA

Subject: Van Vliet

Spoke with Mrs. Vliet earlier today. She is fine to sign BUT she mentioned that you discussed with her the proximity of the line/easement to her drain field.....she said you indicated that IF our work impacted her drain field....pipe out to the field....that UST would hook her up to the public sewer. IF this is accurate, I need to do a letter to her confirming this agreement.

Date of letter: 11/28/2017

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

Letter sent to: Tom Beil, UST

Subject: Van Vliet / Station Ave

Mrs. Vliet is ready to sign the easement subject to clarification of some details. One of the details is the mechanics.....I suggested that PERHAPS she could come to the township building and sign (so it can be notarized as well) the easement and PERHAPS receive her check at the same time.....is this feasible with appropriate notice/warning?

Date of letter: 11/29/2018

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

Letter sent to: Gary Brienza, Solicitor

Subject: Van Vliet / Station Ave

We will contact Mrs. Vliet and schedule a time for her to sign the easement. Need the following information.....final version of the easement.....amount township will pay.....her phone number.....clarification of Vliet's rumored bankruptcy / tax sale (is there such a thing and how does it impact her ability to sign the easement agreement?).....takes about 2 weeks to issue a check.

Date of letter: 11/29/2017

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

Letter sent to: Chris Cope, UST and others

Subject: Draft Agreement for Cooper Farms Connection Points

(Attached) is a draft agreement for the connection points associated with the Cooper Farms subdivision. I used the Tilley agreement as a model.

Date of letter: 11/29/2017

Letter from: T Paashaus, Borough of Coopersburg (e-mail)

Letter sent to: Karl Schreiter, SEA and others

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Subject: Draft Agreement for Cooper Farms Connection Points
Made some quick edits (see attached). The property on Main Street is known as 500 Horse Alley now.

Date of letter: 11/29/2017

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

Letter sent to: Doug Haberbosch, Pidcock Company

Subject: Oakhurst Storm Sewer Improvements Plan Review

Here are my comments regarding the subject Project.

Date of letter: 11/29/2017

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

Letter sent to: T. Paashaus, Borough of Coopersburg and others

Subject: Draft Agreement for Cooper Farms Connection Points

The total connections are 38? But the total edu's appears to be 31 (12 and 19 lots).....it this accurate?

Date of letter: 11/29/2017

Letter from: D. Haberbosch, Pidcock Company (e-mail)

Letter sent to: Karl Schreiter, SEA

Subject: Oakhurst Storm Sewer Improvements Plan Review

Provide a sketch for the lateral replacement work. Does USTMA have a particular wye saddle connection it prefers to use with TCP sewer mains? We will revise the plans and provide for review.

Date of letter: 11/29/2017

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

Letter sent to: Gary Brienza, Solicitor and others

Subject: Draft Agreement for Cooper Farms Connection Points

There are 39 connections for the Borough (31 within the subdivision and 7 along Gun Club Road).

*****end of correspondence list for December

SOLICITOR'S REPORT:

The Solicitor's Report dated December 4, 2017 was presented by Mr. Bush on behalf of Solicitor Brienza.

Mr. Schreiter said Traditions of America submitted the required information and the special study for the LVGC project is now complete. He added that the information will be presented at the Board of Supervisors meeting on December 18.

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

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Mr. Schreiter said Solicitor Dinkelacker took care of the bill of sale and easement paperwork needed from the Promenade Shops in order to begin the Oakhurst sewer extension project. He said the project is moving forward and we should invite the residents to the January meeting for an update.

Mr. Cope said Camp Elim reacted to the notice of violation and addressed the deficiencies.

ENGINEER'S REPORT

Karl Schreiter, PE, presented Engineer's report dated December 1, 2017.

Mr. Schreiter said the Developer of the Weyhill Woods subdivision requested the Spring Valley Pumping Station be dedicated to the Township. Mr. Schreiter is waiting on the final bill of sale plus the offsite easement needed from the Developer before dedication may happen.

Mr. Schreiter said the Sunset Drive/Ackerman's Lane project has been pushed off until 2018. Dry sewers will be installed in 2018 and paving will happen in 2019. He said several easements are needed.

Mr. Beil did not provide 2018 funds for the North Branch Interceptor Design project. Mr. Schreiter thinks there will be an issue gaining an easement from a property owner that is needed to get to Kozy Corner. He said they may be able to use Limeport Pike instead to avoid this property.

On the Oakhurst Road sewer project, Mr. Schreiter said he will have drawings ready for the January meeting so the residents may review the plan.

Mr. Schreiter said the Station Avenue Sewer Extension is moving ahead and the easements are finalized. He said if they hit the bed on Mrs. Van Vliet's property while digging, they will hook her up too. But based on the old drawings, it does not look like the bed will be in the way.

Mr. Schreiter said Mr. Beil requested that he look at redoing all storm sewers and laterals in the area of Laurel Lane, Juniper Road and Oakhurst Drive. He said Pidcock will update the plans for this project. Mr. Cope explained that a full replacement isn't necessary but laterals must be replaced. Mr. Sullivan asked who takes care of storm sewer maintenance. Mr. Cope said the roads crew does.

Mr. Schreiter said they are moving ahead with the Cooper Farms Subdivision but there are several problems with the contractor that must be addressed.

SUPERINTENDENT'S REPORT:

Mr. Cope said they flushed and TV'd lines in the New Street and Bishop Road area.

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Mr. Cope said they met with the Mountain Glen HOA because they hired a contractor to do required repairs but they did the wrong repairs. The Township has agreed to do these repairs and the HOA will pay for them. Work will start this week.

Mr. Cope said there will be a demo of the easement machine on Wednesday. He said this machine is being partially paid for by Toll Brothers.

Mr. Cope said there was training for the new flow meters on Tuesday.

Mr. Cope sent the Oakhurst residents invite letters to the January meeting. The Authority discussed parking options and will also have some financing information ready for the meeting.

TREASURER'S REPORT:

Mr. Sullivan reported the current balance is \$1,353.50.

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. Installation of gravity and low pressure sewers to the area east of the I-78 bridge.

Update on the status of this work.

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.

Update on the status of this work.

NEW BUSINESS:

None

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ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be **Monday, January 8, 2018 @ 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 6:37 pm.

Respectfully submitted,

Ryan Holmes
Secretary

