

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, May 6, 2019

4774 Saucon Creek Road

Vice-Chairman Jack DeMatos 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 (by phone)
Joaquin (Jack) DeMatos - Vice Chairman
Ronald Reybitz - Asst. Secretary and Asst. Treasurer
Ryan Holmes - Secretary
Mark Sullivan – Treasurer

STAFF PRESENT:

Gary A. Brienza, Esquire, Solicitor
Andrew T. Bohl, P.E., Engineer
Farley F. Fry, P.E., Engineer
Chris Cope, UST Director of Water and Sewer Resources
John Guignet, UST Asst. Director of Water and Sewer Resources

VISITORS:

None

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.

PUBLIC COMMENT:

None

MINUTES:

A motion was made and seconded to approve the meeting minutes for April 2019 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: 4/1/2019, 5/1/19, 5/3/19

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Date of letter: 3/27/2019

Letter from: Tom Dinkelacker, LV Law Practice (email)

Letter sent to: Gary Brienza, Solicitor and others

Subject: Deed of Easement and Agreement for Sanitary Sewer Line-Promenade Shops at Saucon Valley

(Attached) is the executed and accepted easement. We will record asap.

Date of letter: 3/29/2019

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Brinley Court - Phase 3 Final Subdivision Plan.....Sanitary Sewer Review

We reviewed the Final Subdivision Plans (Phase 3). Phase 3 consists of 76 units of the 217 residential units. Phase 3 will discharge sewage to the proposed sanitary sewer improvements proposed in Phase 2 of the subdivision. Ultimately, the sewage will be conveyed to the Township's existing sanitary sewer collection system located within Gun Club Road. We have no comments on the following sheets -- sheets 1-22 and sheets 24-36.

Sheet 23 of 35 Clayton Avenue Plan and Profile --- There is one crossing of the proposed sanitary sewer with the proposed water main at station 20+73 of Clayton Ave. Should this crossing have less than 18" of vertical separation, the sewer main shall be concrete encased a minimum of 10' on either side of the crossing and with the thickness per the concrete encasement detail D-1.

Date of letter: 3/27/2019

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Brinley Court -- Phase 2 Final Subdivision Plan.....Sanitary sewer Review

We reviewed the Final Subdivision Plans (Phase 2), Brinley Court. Phase 2 consists of 74 of the 217 residential units. We have no comments regarding sheets 1-13 and sheets 15-23 and sheets 25-36.

Sheet 14.....sanitary sewer lateral for proposed units 108-119 are proposed to be constructed in Phase 1 improvements.

Sheet 24.....Brookside Court Plan and Profile.....there are two crossings of the proposed sanitary sewer with the proposed water main at station 9+00 and 11+90 of Brookside Court. Same comment as mentioned in the (above) letter regarding Phase 3.

Date of letter: 4/5/19

Letter from: B Bush (email)

Letter sent to: Tom Beil, UST

Tom,

The following matters were discussed at the meeting on Monday evening, 4/1:

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1. The Tapping Fee Ordinance-

The ordinance was adopted by the Township on 8/27/18. However, the Rate portion was not included and it needs to be worked on. The study on the Rates may be out-of-date and may need to be revisited if we do not begin working on the Section M.6 now. Advise when we can meet to begin work on the Section.

2. Camp Elim -

Brienza had issued a letter to the owner of Camp Elim regarding his attempted installation to the sewer line. We have heard nothing or seen any action regarding the letter and when Chris was asked about what was happening he was told to keep the issue "on-hold". When can we expect some action to take place? The area that has been excavated, as we have been told, is a "safety issue". Advise if the Authority should continue to treat the matter as an "on-hold" by the Township.

3.. The "52" non-connection issue

Was again discussed and we are wondering when the Public Works Committee will be meeting to discuss this matter.

Bruce

Date of letter: 4/5/19

Letter from: Tom Dinkelacker, LV Law Practice (email)

Letter sent to: Tom Beil, UST

Subject: USTMA Matters

Karl prepared a draft of the rate section about a year ago. I'm happy to meet and move forward on this. I will ask Jackie to schedule a preliminary meeting. Attached is Karl's draft. Recall that this is Section M.6, which was "reserved" in the adopted ordinances.

Date of letter: 4/5/19

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: A. Bohl, Hanover Engineering

Subject: Oakhurst Easements

I spoke with Chris earlier today regarding the above. He had a call from Kichline. Kichline advised that his parents have modified their position with regard to the easement. They are willing to proceed to allow us to acquire the easement for the 1k credit against the tapping fee. They are interested in the concept proposed where the Authority/Township would "assist" in obtaining the stream crossing permit. Kichline would like me to meet with him and his parents....I think the best approach would be to have the easement and any other documentation ready to be provided (perhaps even signed) during that meeting. Therefore I would like to start preparing ALL of the easements as soon as possible. I know that Hanover did all of the descriptions

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previously...and that MOST of them will remain the same no matter which of the various route proposals were used. I would like though if you would send me ONLY the descriptions for all easements using the route or plan that comports with the easement on Kichline's property and going across/under the stream. Then with that set only in hand there will be no confusion on my end and all easements can be prepared (I would send out to the other residents but present in person to the Kichline's). Certainly if you would like to attend the meeting with the Kichline's....the more the merrier.

Date of letter: 4/5/19

Letter from: Tom Beil, UST (email)

Letter sent to: Bruce Bush

Subject: USTMA Matters

1. I will pass your concerns on to Tom D. as he's working on the ordinance. I'm not sure of his timeline.
2. The contractor has been cooperating with us and we expect this matter to be resolved in the next week of two. Chris Cope can provide more details.
3. The Committee has not scheduled a time to discuss this issue. You will be notified of any meeting when this issue is discussed.

Date of letter: 4/18/19

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Traditions of America at Locust Valley.....Sanitary Sewer Pump Station Review

The letter listed the numerous plans and supporting information for the referenced project.

Comments on the review:

1. Table of Contents for the Application refers to the incorrect USGS map for the project area.
2. Facility information of the General Permit Application shall be completed.
3. The Certification Section of the General Permit Application shall be completed.
4. The Sanitary Sewer Pump Station Engineer's Report shall be signed and sealed.
5. Project plans shall be signed and sealed.
6. Pump Station detail plans shall provide a blow up of the proposed sanitary sewer pump station area, as the Utility Plan does not clearly depict all the improvements related to the pump station.

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7. Proposed pipe profile shown on page 98 shall be relocated to the requested plan depicting the proposed pump station improvements.

8. Plans shall comply with comments within the Paragon Engineering Services April 9, 2019 comment letter and as their mark-ups to the Pump Station Detail Plans.

Date of letter: 4/25/19

Letter from: Gary Brienza, Solicitor

Letter sent to: Reinsel Kuntz Leshner, LLP, CPA's

Subject: USTMA and USSTA

[Gary responded to recent correspondence seeking a legal opinion regarding legal matters which existed of 12/31/18 up to and including the date of this response letter. Gary stated that he was unaware of any pending or threatened litigation, claims or assessments. Also he is unaware of any unasserted possible claims or assessments which are in any way probable of assertion in the future. It is his professional conclusion that there is no requirement to disclose or consider disclosing any possible claims or assessments as none exist. He then goes on to show the amount due and owing his firm as of 12/31/18.

Date of letter: 4/26/19

Letter from: Gary Brienza, Solicitor

Letter sent to: Dan Cocco, Anthony Croisette, Al Knoedler III, Jeff and Lizbeth Soto, Don and Pam Kuntzman, Al Knoedler Jr., Maria Spinosa; all named individuals live on Oakhurst Drive

Subject: Oakhurst Sanitary Sewer Easement

Letter enclosed the "draft" of the permanent easement. This easement merely means that the Township has the right to place the sewer pipe and other related sewer items underground on your land. The Township will credit the amount you will for the tapping fee by \$1,000.00.

Review the document and if you desire, have an attorney of your choice review the document and then make arrangements to sign the original document at the Township so that it can be notarized. Direct all questions to me.

Date of letter: 5/1/19

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Penn State Lehigh Valley.....New Maintenance Building

We reviewed the response letter, the data sheet for the proposed sewer pipe within the area of the former mines on the subject parcel, and the Preliminary/Final Land Development Plans New Maintenance Building dated 3/8/19.

Andrew then listed the comments he had on the review of the documents. He had six comments (see letter for details).

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All sewers to be constructed for this project will be privately owned and the responsibility of the University to operate and maintain.

Date of letter: 5/1/19

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Penn State Lehigh Valley.....Dining Hall Addition

We reviewed the response letter, grease trap calculations and proposed grease interceptor structure data sheet and the Dining and Student Services Expansion sheets dated 11/8/18 revised 4/12/19.

A 275 gallon Polyethylene Grease Interceptor is proposed, however the calculations and proposed structure itself is not consistent with the Township Specifications. Design engineer shall review Section 02569 Grease Interceptors for the required calculations and structure requirements.

Date of letter: 5/2/19

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Traditions of America at Locust Valley.....Final Development Plan Submission.....Sanitary Sewer Review

We reviewed the response letter, TOA Final Development Plan Set dated 12/8/17 last revised 4/12/19, E One Sewer System Pressure Sewer Preliminary Cost and Design Analysis-----Low pressure force main and pump unit is for the proposed Clubhouse for the community.

Andrew then listed six comments that needed attention (see the letter for the details).

Date of letter: 5/3/19

Letter from: Charles Unangst, Hanover Engineering

Letter sent to: Thomas Beil, UST

Subject: Saucon Country Estates Subdivision and Sunset Park Subdivision.....Application and Certificate for Payment #8

We have reviewed the (attached) Payment Request #8 submitted by RGC Development LP, dated 4/30/19, and recommend approval of the release. The Payment Request for 205 LF, withholding \$3,000 for the pavement restoration where the line was excavated, and 5% retainage resulting in a final request of \$19,546.24. This leaves a balance of \$141,423.62.

*****end of correspondence list for the May meeting

SOLICITOR'S REPORT:

The Solicitor's Report dated May 6, 2019 was presented by Solicitor Brienza.

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Solicitor Brienza said that construction in Saucon Crossings is proceeding and the documentation is almost complete.

Solicitor Brienza stated that the Promenade Shops easements are complete.

Solicitor Brienza said that he is waiting on the Township Solicitor regarding the Tapping Fee Ordinance.

Solicitor Brienza reported that Chris Cope will give the update on Camp Elim.

Solicitor Brienza gave an update regarding the Oakhurst sewer extension and said that draft easements went out to all affected property owners. Prior to the draft easements being mailed there was a meeting with Mr. Kichline and his son Keith to discuss their options. There is a "technical" problem that could arise and that is that Mr. Kichline is not the deeded owner of the property. It is still deeded as Harvey Hartman who was a relative but deceased since 1961. If Mr. Kichline granted the easement it could be considered invalid, if challenged. However, Verizon and PennDOT have both been granted easements from the family within the last 20 years. The family attorney is going to look into what needs to be done to rectify this issue. Clearing up the estate would be in the Kichline's best interest however, if they chose not to, the Authority could condemn the easement. We will wait to hear from Mr. Kichline's attorney before deciding how to proceed.

ENGINEER'S REPORT

Andrew Bohl, PE, presented Engineer's report dated May 3, 2019.

Andy noted that the Oakhurst project is moving forward with permit plans and final design.

Mr. Bohl said there is a meeting scheduled for June 12 so he is hoping to present the BOS with a revised draft of the 537 by the middle of summer.

Mr. Bohl said that the Executive Parkway Sewer has three options and cost estimates which have been given to Chris Cope.

Mr. Bohl noted that Coopersburg had two flow exceedances during the month of April due to rain events.

Mr. Bohl said that the Saucon Crossings project is going well. They are looking at the feasibility of keeping the existing manholes but if that's not an option all of the manholes will be replaced.

Mr. Bohl stated that Penn State has submitted plans for the dining hall and maintenance building. The dining hall plans were complete but there are invert issues with the maintenance building. We are going to request that they use a double walled pipe for the sanitary line since it is located over top of the zinc mine.

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Mr. Bohl said that TOA has submitted final plans to the Township and that review comments have been sent back to them regarding the pump station and phase 2 of the permit.

Mr. Bohl gave an update on the Sunset/Ackerman's project and reported that last month the contractor began working on the pipe repair between manhole SD19 and SD 20 in the Sunset Park portion. When the contractor excavated to make the repair it was discovered that the cracks observed on the video were actually dirt streaks. This was due to the pipes not being cleaned properly. All pipes have now been tested and have passed. The contractor had also viewed the video prior to attempting to make the repair. UST Sewer Department will flush and TV the lines again and the contractor will be responsible to pump the water out. The contractor is looking to be paid \$19,546.24 for the stretch of pipe where it was thought to need repair but didn't. \$141,000 remains unpaid on this contract and this balance is to cover all remaining repairs.

SUPERINTENDENT'S REPORT:

Mr. Cope reported that trees are being removed for the new building. The contractor has until June to finish up. The pre-bid meeting is scheduled for May 23 and bids will be due June 4. The job will be awarded at the BOS meeting on June 10, 2019.

Mr. Cope noted that we have received the new TV van and received some training. There will be more training in the next few weeks on use and operation of the software and the lateral camera. This now gives us the capability to view laterals. The Authority can take a look at the new truck at next month's meeting.

Mr. Cope mentioned that he has purchased new point repair equipment and with it comes fiberglass patch to seal cracks inside the sanitary line. The Department will also be receiving additional training on this equipment.

Mr. Cope noted that he had been asked to stay out of the Camp Elim issues but then John Guignet attended a staff meeting while Chris was away at a conference and John was asked at the staff meeting what was being done to resolve the Camp issues. This decided to give them until the following Monday to have the open trench (one of the issues) filled in. The trench has been open for months and is a liability issue for the Township. Joe Geib said he would call Mr. Ginder and let him know he had until Monday or the Township would fill it in. The manhole at the camp is in but Mr. Ginder never cored the manhole to put in a stub so he will have to dig everything up when he decides that he is ready to finally connect.

Mr. Cope said that the Sunset/Ackerman's contractor planned to use their own water truck to haul the water away that will be used for flushing. However, they couldn't get the water truck to pass inspection to be able to drive it on the road so they showed up at the job site with the truck on a low boy trailer. They again pumped into a silt bag which they have already been told not to do. The flushing is almost complete so TV'ing can begin.

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Mr. Cope stated that Jerry Stewart, resident from the Station Avenue sewer project wants the remaining stone from the project moved from his property and the lawn seeded. The Manhole in his neighbor's (Nyle) driveway, which he just had paved, is way too low so we will need to raise it. Nyle has been informed that this will require disturbing his newly paved driveway but he told Chris that he is fine with that.

TREASURER'S REPORT:

Mr. Sullivan reported that there was a \$200 dispersement last month for the PMAA annual membership dues and that the account balance is \$921.57.

MOTION (S):

Motion was made to approve payment request #8 from RGC Development dated 4/30/2019 in the amount of \$19,546.24. Ref: Hanover Engineering letter dated 5/3/2019.

Motion was made and seconded.

UNFINISHED BUSINESS:

A. Unconnected Sewer Analysis

Reference SEA's letter dated 1/8/2014. Study identified 52 potential properties that should be connected to the sanitary sewers. (1) Update of the status of the letter that the Authority recommended be sent to the "52"; (2) Status of the request for an Ordinance to cover the inspection of the laterals prior to sale of the property. Mr. Bush said he will attend the next Public Works Committee meeting to discuss this matter.

B. Sewer Tapping Study – as previously stated, Bruce Bush will send a letter to Tom Beil.

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.

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

F. Stabler Executive Parkway Sewer Issues. Ref: Letter from Karl Schreiter dated 9/19/2018. Copy of letter sent to each member of the Authority on 9/25/2018.

NEW BUSINESS:

None

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ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, June 3, 2019 @ 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 6:45 pm.

Respectfully submitted,

Ryan Holmes
Secretary

