

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, March 4, 2019

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:03 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
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

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 February 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: 2/14/19, 2/19/19, 2/25/19, 3/1/19

Date of letter: 1/21/19

Letter from: Bruce Bush

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Letter sent to: Darryl Fritz, PaDEP

Subject: UST Corrective Action Plan Quarterly Status

(Attached) are two copies of the subject report for the 4th Qtr. for the South Branch. If you have any questions, contact Andrew Bohl.

Date of letter: 2/4/19

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

Letter sent to: A. Bohl, Hanover Engineering and others

Subject: Brinley Court - HOP's

(Attached) were the Highway Occupancy Permits.

Date of letter: 2/7/19

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

Letter sent to: Tom Dinkelacker, Lehigh Valley Law Practice

Subject: Status --- Tapping Fee

What is the status of the tapping fee ordinance and /or rate structure?

Date of letter: 2/7/19

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

Letter sent to: Tom Dinkelacker, Lehigh Valley Law Practice

Subject: Mountain Glen

Still carrying this on my monthly report but I do not have any recent updates. Has the HOA or developer dedicated all improvements at this point? Is there anything that we are waiting for or that still remains to be done by either us, the Township or the HOA/Developer? Shall I drop this from my report?

Date of letter: 2/7/19

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

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Connections to Municipal Sewer ---- 52 Properties (likely more)

Recall that when you were at the January meeting of the USTMA/USSTA, a discussion ensued regarding properties connecting to the sewer system if they are within the 150 foot distance...and how the Authority thought that perhaps the Township should, at the least, require that when a property is sold/transferred, the connection should occur, etc. I believe that you indicated you would discuss with Tom Beil to see if the Township would be authorizing the creation of such an ordinance. Has that discussion occurred, and if so, what was the result?

Date of letter: 2/7/19

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

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Blue Belle / Weyhill

I believe that we are in the home stretch for this.....I know that there are still some details with regard to the development that still involve sewer issues. Do you agree that

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I should continue to monitor this on my monthly report to the USTMA for a few more months?

Date of letter: 2/7/19

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

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Blue Belle email

I misspoke before....with regard to this one (Weyhill) I believe that I can delete this from my reports.....I do not think there is anything left to be done. Is that accurate? Sorry for my confusion in the prior email.

Date of letter: 2/7/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza, Solicitor

Subject: Status -- Tapping Fee

My understanding is that the tapping fee ordinance, #42-S, which adds text to Subsection M of 42-R, is generally ready for agenda placement. We still have the rate ordinance which is the subject of an initial draft by Karl. We never met to move forward with the refinement of Karl's draft. My suggestion would be that you and I independently take one final look at 42-S to confirm that it's ready and let Tom B. know. You may recall that it went through a series of revisions and that the cumbersome numbering should be checked.

Date of letter: 2/7/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza, Solicitor.....CC: Sandy Diacogiannis, UST

Subject: Status -- Tapping Fee

Having said that, I'm confused. Here is the latest draft (draft 3) and also a public notice. However Tom B. usually sends me a pdf of the executed ordinance which I do not have. Also, here is the rate ordinance addressing Section M.6 which we have not reviewed or worked on.

Sandy --- confirm that the status of 42-S. The public notice indicated it would have been enacted on August 27, 2018.

Date of letter: 2/7/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza, Solicitor

Subject: Mountain Glen

Karl and I just spoke to the HOA consultant yesterday. Easement descriptions are being sent to HEA for review and approval, and I will be reviewing easements prepared by the consultant. The hope is to have this ready to go in 2-4 weeks with possible agenda placement in March, depending on timing of BOS meeting. There will be a bill of sale for the sewer line, a blanket easement in the streets (which are currently private) and deeds of easement for areas outside the street right of way. Restoration requirements could be a stumbling block. Also, some of the easements are now on

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private homeowner lots. One has a driveway encroachment on top of the existing line. Belgian block curb makes restoration expensive.

Date of letter: 2/7/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza, Solicitor

Subject: Connections to Municipal Sewer - 52 Properties (likely more)

Tom B. and I had a casual discussion in that regard. My sense is that there will be some discussion regarding further review by the committee. I'm not in the loop on this, at least for the moment, and I don't know if Tom has a timeframe in mind. I will contact Tom and see exactly where we are on this.

Date of letter: 2/7/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: Gary Brienza, Solicitor

Subject: Blue Bell / Weyhill

The only issue that I think remains involves acceptance of dedication of sewer line in the streets. I do not recall if the streets are private or will be dedicated to the Township. If the former, we will need easements. If the latter we will only need a bill of sale. I will e-mail Bob Wynn's office re status and copy you.

Date of letter: 2/8/19

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

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Status --- Tapping Fee

(Attached) is Ord. 42-S that was adopted on 8/27/18.

Date of letter: 2/20/19

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

Letter sent to: Tom Dinkelacker, LV Law Practice and others

Subject: List

Karl called me earlier today on the attached chart (when you open it go to the tab on the bottom entitled "construction"). It represents/depicts subdivisions or projects with sewers where the lines have not, according to Karl's records, been dedicated to the Township/Authority at this point in time. Obviously some of them are very old....others are in the works to be dedicated (Mountain Glen, Weyhill, Promenade). Technically the ones that have not been dedicated are private systems. Karl has never sent the "questionnaire" to those developers....

He is suggesting that we follow up to finalize dedications where needed. Granted, some of these will be difficult given whatever the current state of ownership to be. How shall we proceed?

Date of letter: 2/20/19

Letter from: P. Lang, UST (e-mail)

Letter sent to: Gary Brienza, Solicitor and others

Subject: List

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While some of these may be "old" some of them (many of them) are still under consideration.

Date of letter: 2/20/19

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

Letter sent to: P. Lang, UST and others

Subject: List

There is that..... Perhaps the list should be broken down into the different categories. Those that are complete where dedication is proceeding or almost complete, those that are complete where no dedication efforts are currently underway, and those where construction is still ongoing (Epernay might be a category unto itself?)

Date of letter: 2/21/19

Letter from: Tom Dinkelacker, LV Law Practice (e-mail)

Letter sent to: P. Lang, UST and others

Subject: List

I will take a look as well.

Date of letter: 2/21/19

Letter from: Tom Dinkelacker, LV Law Practice

Letter sent to: Gary Brienza, Solicitor and others

Subject: List

On some of these we may need to go back and look into the actual land development files.

Date of letter: 2/25/19

Letter from: A. Bohl, Hanover Engineering (e-mail)

Letter sent to: P. Lang, UST and others

Subject: Mountain Glen / Saucon Valley Easement Review

(Attached) is our review letter regarding the proposed Easements within the Mt. Glen Subdivision.

[The letter listed the documents Hanover reviewed and they then listed comments on the Sanitary Sewer Easements.]

Date of letter: 2/26/19

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

Letter sent to: M. J. Ebert

Subject: Oakhurst Sanitary Sewer Easement

I forwarded your e-mail to the UST Plant Manager since your questions were more in his realm....See his responses below.

After review, advise if you are agreeable to the easement and the payment in the form of the credit against the tapping fee.

Chris's response.....

Timeline --depends on how quickly the easements are obtained, dedication of the Promenade sewer line and the bidding process. I see this project beginning late spring

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of 2020. Project could take from 10 -16 weeks but will be done in 2-stages (gravity section vs. force main) so residents will not be inconvenienced this entire time.

Cost -- tapping fees to connect would be about \$3500 with the homeowner bearing the additional costs of the septic tank abandonment and hiring a private plumber to run sewer lateral from old septic tank to the new main. It's difficult to estimate because we have no idea where her current tank is located. This address appears to be under the gravity section so there will be no need for grinder pump costs.

Date of letter: 2/26/19

Letter from: A. Bohl, Hanover Engineering (e-mail)

Letter sent to: Mark Mortensen and others

Subject: Saucon Valley Mobile Home Park

(Attached) are the reviewed shop drawings and shop drawing sewer listing for the subject.

Date of letter: 2/27/19

Letter from: A. Bohl, Hanover Engineering (e-mail)

Letter sent to: Mark Mortensen and others

Subject: Saucon Valley Mobile Home Park

(Attached) are the reviewed shop drawings and shop drawing sewer listing for the subject. All the shop drawings for the sanitary sewer improvements have been reviewed for this project.

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

SOLICITOR'S REPORT:

The Solicitor's Report dated March 4, 2019 was presented by Solicitor Brienza.

Solicitor Brienza said that he has no recent updates on Brinley.

Solicitor Brienza said that Tom Beil and Tom Dinkelacker have discussed an ordinance requiring the "52" to hook-up to the sewer if they are within 150' of a main at the time of sale, but no time line has been given.

Mr. Brienza said that it appears as though the tapping fee ordinance was adopted at a BOS meeting at the end of August. However, rate fees addressed in section M.6 have not been worked on. Once this section has been drafted it will be another 4-6 months until it is finalized. Tom Dinkelacker indicated that there is no timeline for this so Mr. Brienza said he will request one.

Solicitor Brienza said that there are still a few easement items in Mt. Glen that need to be finalized.

Mr. Brienza mentioned that the Weyhill development is not complete but from the standpoint of the Authority, it is.

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Solicitor Brienza said that he has nothing new to report on the Promenade easements but the Township has not received the finalized easement paperwork to move forward with the Oakhurst sewer project.

Mr. Brienza said that his office is still working out some of the easement issues. One resident wants more money so they will be provided with 3 options and it will be up to them to decide from there. The Township will have two options depending on this resident's decision.

Solicitor Brienza sent out a letter of which the content was noted at last month's meeting however, as Chris Cope was set to act upon the requirements set forth in that letter, he was instructed by Administration to stay out of it. Therefore, as of now, this Authority and/or the Water & Sewer Director have no authority to enforce the requirements of the letter.

ENGINEER'S REPORT

Andrew Bohl, PE, presented Engineer's report dated March 1, 2019.

Mr. Bohl said that there are still significant I&I issues out at Sunset and Ackerman's. The contractor is indicating that they believe this is due to the fact that they used plastic riser rings. They have been told that they will need to replace those as well as chimney seal all of the manholes. The Sewer Department will go back in the spring and re-flush and TV everything once the repairs have been made. All repairs must be made and be satisfactory before the final payment will be released.

Mr. Bohl said that there is nothing new to report regarding the NBI design associated with the 537.

Mr. Bohl said that he is looking at the design for Oakhurst that was proposed by Karl Schreiter and he will be making modifications as necessary. He is also working on the DEP permit documentation to be able to make the connection run under the creek.

Mr. Bohl said that the Executive Parkway Sewer was surveyed last week and that he will come up with three different options.

Mr. Bohl noted that Coopersburg had two flow exceedances from January 23 - February 20.

Mr. Bohl said that the Cooper Farms tap was done last week.

Mr. Bohl stated that construction at Saucon Crossings is ready to start once the weather cooperates.

Mr. Bohl reviewed the easement agreement for Mt. Glen and has sent his comments back to the developer.

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SUPERINTENDENT'S REPORT:

Mr. Cope said sewer inspections are complete at Woodcrest, Mountain Laurel, Wild Cherry and Bluegrass Trail.

Mr. Cope said the new garage should be going out for bid soon and that he is in the process of getting quotes for the land clearing.

Mr. Cope said that he has received four quotes for a new TV van. The deadline for companies to submit a quote was today so now he will begin reviewing the quote's that have been submitted.

Mr. Cope mentioned that the Township is looking to do a Spring and Fall newsletter. This would enable the Sewer Department to offer a sewer clean-out replacement which would help to reduce I&I.

Mr. Cope noted that he had a meeting with Utility Service Company. They offer residents insurance for the portions of water and sewer lines that are the homeowner's responsibility. Mr. Cope handed out flyers from the Company outlining details. He feels this would be a beneficial program to offer residents as well as helping to reduce I&I. Mr. DeMatos said that he would like to see the mailing that the company sends out to residents.

TREASURER'S REPORT:

Mr. Sullivan reported that there are no expenses and asked for a motion to approve the Treasurers Report for the first quarter of 2019.

Motion made and seconded to approve the Treasurer's Report for the first quarter of 2019.

Mr. Sullivan asked what the Authority can do when they feel that a bidder who has been awarded a job consistently does not follow Township specs and does extremely poor work? Mr. Brienza stated that all issues should be recorded so that the next time a bid goes out this information can be used as a basis to prove that a particular company is not a responsible bidder and that in relation to the current situation, it does appear that there is enough evidence to back this up. Mr. Reybitz added that maybe the Authority should address the long list of issues with the contractor in question, upon completion of this project.

MOTION (S):

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.

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Sullivan posed the question as to whether or not it would be inappropriate for Authority members to attend a committee meeting to discuss a resolution for the "52" unconnected properties but no one is sure that such a committee exists. There is the possibility that the BOS have not been kept up-to-date regarding the lack of resolution on this issue. Mr. Bush said he will send an email to Tom Beil reminding him to place the requirements for the "52" potential sewer hook-ups on the next agenda for consideration.

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.

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

ANNOUNCEMENTS:

Next scheduled meeting of the Authority will be Monday, April 1, 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 6:48 pm.

Respectfully submitted,

Ryan Holmes
Secretary