

UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, July 6, 2020

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
Ronald Reybitz - Asst. Secretary and Asst. Treasurer
Ryan Holmes - Secretary
Mark Sullivan – Treasurer

STAFF PRESENT:

Gary A. Brienza, Solicitor
Andrew T. Bohl, P.E., Engineer
Farley F. Fry, P.E., Engineer
Patrick Lambert, Director of Water and Sewer Resources
Ed Rasich, UST Asst. Director of Water and Sewer Resources

VISITORS:

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:

MINUTES:

A motion was made and seconded to approve the June meeting minutes as presented.

Motion passed unanimously.

CORRESPONDENCE:

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: 6/22/2020, 6/29/2020, 7/1/2020, 7/4/2020

Date of letter: 6/2/2020

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

Letter sent to: Edward Hoffman, Barrow Hoffman

Subject: Mt. Glen Easement --- Easement for lines within the beds of streets

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An update of the status of the Easements. It appears that all deeds of easement relating to the sanitary sewer in Mountain Glen have been successfully recorded.

Date of letter: 6/3/2020

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Hanner

I would imagine the above referenced is not necessarily on your radar....

Mr. Hanner is a private owner who is putting in his own sewer line. He has appeared at the USTMA meetings the last two months. One of the discussions that occurred on Monday involved the inspections of the installation and his need to pay for those inspections. He was not happy about this both from a financial and timing standpoint. This led to a discussion between Andy Bohl and me regarding the necessity to have Hanner execute a "developers' agreement" confirming that he will pay...setting up the initial escrow...replenishing same. Ordinarily you would be involved from the outset, but I imagine due to Covid-19 and the private nature of the "development" this may be the first you are hearing of it. Ultimately it is the Township's decision if there is a need to enter into the agreement with Hanner, but neither Andy nor I were comfortable without at least getting your thoughts.

Date of letter: 6/3/2020

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

Letter sent to: Gary Brienza, Solicitor

Subject: Hanner

This is the first I am hearing of it. Can you share any more information as to when, where the work is being performed and the gentlemen's address and any review letters?

Date of letter: 6/3/2020

Letter from: Andrew Bohl, Hanover Engineering (email)

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Hanner

Here are the two letters I prepared for the review of the sanitary sewer improvements. Also (attached) is a PDF of the approved sanitary sewer plan.

Date of letter: 6/3/2020

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Andrew Bohl, Hanover Engineering and Tom Dinkelacker, LV Law Practice

Subject: Hanner

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I prepared a recapture agreement for this. I will send you a copy of it when I distribute to Andy for review before it goes to Hanner.

Date of letter: 6/4/2020

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

Letter sent to: Gary Brienza, Solicitor and Andrew Bohl, Hanover Engineering

Subject: Hanner

Tom Beil and I spoke this morning. He asks that you do the agreement with Hanner. I will send over forms used in the past, and you can add re-capture, as necessary. I will handle insurance and indemnity, which should be provided by Mr. Hanner's contractor anyway, through the Road Occupancy Permit. That way everyone is covered.

Date of letter: 6/5/2020

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Thomas Capehart, Attorney

Subject: Coopersburg ----- Valley Manor

Gary thanked Thomas for his update.

His update was ----- COVID has kept Valley Manor from getting other bids. Plus, as a nursing home, they are shutdown. Tim is staying on top of things. Going forward, feel free to reach out directly to Tim for updates.

Date of letter: 6/11/2020

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Old Saucon Subdivision..... Phase 2.....Final Subdivision Plan.....Sanitary Sewer Review #2

We reviewed the following:

1. Response letter prepared by Van Cleef Engineering Associates dated 5/22/2020
2. Final Subdivision Plan Set for Old Saucon Phase 2 dated 5/20/2020 last revised 5/22/2020
3. Amenities Plan dated 2/20/2020 and revised 5/22/2020

The letter continues to list six items for the Township's consideration. The comments include easements, no plantings within 10 feet of the sewer mains, sewer main under the proposed Decorative Masonry Wall, proposed sewer lateral for the southern Retail/Apartment Barn Building, final plan modified the sewer design to include additional sewer system along Route 378 west of proposed Basin #1 and depending on the final user for the commercial building the projected sewer flows shall be provided to verify the flows are consistent with the projections used for the planning module.

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Date of letter: 6/12/2020

Letter from: Gary Brienza, Solicitor

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

Subject: USTMA and USSTA

Pursuant to your request I submit the following:

1. As of 12/31/2019 there were no pending or threatened litigation matters, claims and/or assessments.
2. As of 12/31/2019 there were no unasserted claims or assessments with which I view a probability of assertion.
3. From 12/31/2019 through the present there are no pending or threatened litigation matters, claims and/or assessments.
4. From 12/31/2019 through the present I am unaware of any unasserted claims or assessments or any matters which would be viewed as probable of assertion.

Date of letter: 6/24/2020

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Estates at Saucon Valley.....Preliminary/Final Plan.....Sanitary Sewer Review #4.....2759 and 3131 Flint Hill Road

We reviewed the plans dated 12/13/2019, last revised 6/10/2020 prepared by Bohler Engineering related to the proposed 102 lot residential subdivision. The letter then listed the comments regarding the review of the plans.

Date of letter: 6/26/2020

Letter from: Gary Brienza, Solicitor

Letter sent to: Frank and Lydia Hanner, 5601 Daisy Lane, Coopersburg PA

Subject: UST - Public Sewer Connection

(Enclosed) is a draft Agreement regarding your plan to connect you home to the UST Sewage System. The letter then gives an update and explanation of how the Agreement came to "life".

I am available to discuss any of the terms and conditions listed within the Agreement with an eye towards having the Agreement executed by you and the Township as soon as possible. The next UST Meeting is July 6, 2020 so your prompt review and approval of this Agreement is in your best interest.

Date of letter: 6/29/2020

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: T. Paashauss, Coopersburg Borough

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Subject: Update --- Valley Manor

Provide an update on Valley Manor.

Date of letter: 6/29/2020

Letter from: T. Paashaus, Coopersburg Borough

Letter sent to: Gary Brienza, Solicitor

Subject: Update- Valley Manor

We reached out to VM 2-weeks ago regarding an update. Due to COVID, the facility has been isolated. It is my understanding that they have two estimates (Walter's Excavating and I am unsure of the other). They have a plan developed and a materials list. I will reach out to them again to see if they have moved further now that we are in "green". Also, it is my understanding that the firm that owns VM, owns 25 nursing home facilities. Although this is not an excuse to not move forward, it is helpful to know that significant devastation that they have due to the virus and shutdown.

Date of letter: 6/30/2020

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Bruce Bush

Subject: Old Saucon Subdivision Phase One.....Sanitary Sewer Video Inspection Review.....Offsite Sewer Mains

Hanover reviewed the video clips from the TV inspection of sewers located within an easement west of the Route 378 which conveys sewage from the Old Saucon Subdivision. The sewers were flushed, cleaned, inspected, and videoed on May 15th and 19th by the Township Staff. Are sewer pipes are eight inches in diameter?

The letter then listed comments regarding each segment that was inspected. The pipe segments appeared to be in acceptable condition in most segments. However, pipe segments from Manhole 1018 to Manhole 1017 and Manhole 1015 to existing Manhole should be repaired to the satisfaction of the Township before acceptance by the Township. The repairs consisted of fixing some sags ranging from 1/2" to 7/8". The letter should be read for more details.

Date of letter: 7/1/2020

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patrick Lambert, UST

Subject: 5048-5068 East Valley Road.....Sanitary Sewer Review

We reviewed the Site Grading Plan Set, last revised 6/29/2020, for the proposed four-unit project.

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The letter continues with eight comments regarding the work to be performed.

Date of letter: 7/1/2020

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Estates at Saucon Valley.....Preliminary/Final Plan.....Sanitary Sewer Review #4.....2759 and 3131 Flint Hill Road

We reviewed the Plan dated 12/13/2019, last revised 6/10/2020, prepared by Bohler Engineering related to the proposed 102 lot residential subdivision.

Due to the depth of the proposed sanitary sewer and the close proximity to the proposed Wet Ponds 1A and 1B, we are recommending the developer and its' design engineer modify the design such that the proposed sewer from Road C be connected to the Township's collection system upstream from existing manhole SMH-608 and the proposed sewer from Road A be connected to Township's collection system at existing manhole SMH-667. This would eliminate traversing the proposed embankment for the Wet Ponds. We have discussed this alternative with the design engineer and the proposed modification is amenable to them.

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

CORRESPONDENCE COMMENTS:

SOLICITOR'S REPORT:

The Solicitor's Report dated July 6, 2020 was presented by Solicitor Brienza.

Attorney Brienza noted that Saucon Valley Crossings neighbors refused to grant larger easements, so changes had to be made to the design, so paperwork still needs to be finalized.

Solicitor Brienza informed the Authority that the Oakhurst residential easements have all been recorded except for the Yundt Family Trust. Both easements from Lehigh University are still not finalized. They were sent a final version of the agreement so hopefully by the next meeting everything will be signed.

Attorney Brienza said that he is waiting for confirmation from Attorney Dinkelacker that everything for Mountain Glen is finalized and can be removed from his report.

Solicitor Brienza still has not heard back from the representative for 3701 Corporate Parkway LLC regarding the easement.

Solicitor Brienza told the Authority that Tom Beil has instructed him to write up a developer's agreement that includes a re-capture provision for Mr. Hanner on Daisy Lane. This agreement has Mr. Hanner paying for Township legal fees and inspections.

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ENGINEER'S REPORT:

Andrew Bohl, PE, presented Engineer's report dated July 2, 2020.

Mr. Bohl said that as soon as the easements from Lehigh are received the Oakhurst project can go out to bid.

Mr. Bohl noted that the Executive Parkway plans are mostly done but he is waiting to receive the easement before he finalized them to make sure there are no changes.

Mr. Bohl told the Authority that no remediation work at Valley Manor has been done due to COVID.

Mr. Bohl noted that the 2nd quarter CAP report is due later this month.

Mr. Bohl told the Authority that construction of Phase 1 sanitary construction for Old Saucon has been completed. All work on the East side of Route 378 has been inspected and found to be acceptable. On the West side there are two runs between Route 378 and our pump station where sags were found that must be remediated before the lines will be accepted. They are ready to start the residential section of Phase 2. All commercial portions of Phase 2 have been withdrawn since they have no commitments from commercial tenants at this time.

Mr. Bohl told the Authority that Saucon Valley Crossings work is complete, and they just need to submit their as-built drawings.

Mr. Bohl stated that he has reviewed the sanitary sewer plans for the Estates at Saucon Valley, and everything looks acceptable.

Mr. Bohl said that the new sanitary sewer lines for Penn State have been flushed, cleaned, and videoed and he will review this week.

SUPERINTENDENT'S REPORT:

Mr. Lambert told the Authority that the Sewer Department has been continuing to do point repairs. After finding the rock through the pipe last month they're going to calibrate the meters and collect flow data to see if this stopped the 250 GPM leak.

Mr. Lambert said that the Sewer Department is continuing bioaugmentation at the pump stations.

Mr. Lambert noted that the new lines for the Penn State dining hall were TV'd.

Mr. Lambert said that he is continuing to investigate I&I issues. In particular, he is looking at a section of sewer line from Rte. 309 down Old Bethlehem Pike to approximately the site of the old Plant/Park area. After a heavy rain he is still seeing heavy flow days after a rain event, which is very unusual. The Plant continues to see fish and eels. There are few, if any, businesses that empty into this section of the

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system that could account for this kind of spike which leads him to believe there may be a break in the line or someone is dumping into the system.

TREASURER'S REPORT:

Mr. Sullivan reported that the balance stands at \$721.03. He does not need approval for this month's report.

MOTION (S):

UNFINISHED BUSINESS:

A. Unconnected Sewer Analysis

Reference SEA's letter dated 1/8/2014. Study identified 53 potential properties that should be connected to the sanitary sewers.

Background: (1) Update on the letter that the Authority recommended be sent to the "53"; (2) The request for an Ordinance to cover the inspection of the laterals prior to sale of the property.

Status: **2/19/19**--Tom Dinkelacker had a casual discussion regarding this matter with Tom Beil. Tom's sense is that there will be some discussion regarding further review by the committee. **3/8/2019**--Tom Beil stated that Bruce would be invited to the next Public Works Committee meeting. **October 2019** - Bruce Bush mentioned that he again, recently reminded Tom Beil that he would still like a meeting with the Public Works committee regarding the unconnected sewers. **February 2020** – Bruce noted that there is still nothing new to report on the unconnected properties and that to his knowledge a date still has not been set for the Public Works committee meeting.

B. Sewer Tapping Study – Nothing new on this either. Both the unconnected properties and the sewer tapping study needs to be addressed by the Supervisors.

C. Easement Problems

D. Oakhurst Drive Project

This project will be ready to go out for bid as soon as we receive the permits from DEP.

E. 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.

F. Mt. Trexler Manor has been instructed by Tom Beil that their best to connect to the sewer system through Lower Milford.

NEW BUSINESS:

Patrick Lambert mentioned that there is a resident at 1915 Augusta Drive who had a pool installed and a surrounding fence. There is a sewer easement on this property. The plans that were originally submitted showed the manhole to be located outside of the fenced area however it was recently discovered that upon completion of the project

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the manhole is now inside the fenced area. The homeowner has said he will sign an agreement stating that he will be responsible for replacing fencing, landscaping, or repairing any damage incurred should we need to access the manhole. Mr. Lambert would like him to submit as-built plans to keep on file should they be needed for future reference. Solicitor Brienza noted that the homeowner should be billed for his time to write up the agreement.

ANNOUNCEMENTS:

The next scheduled meeting of the Authority will be Monday, August 3, 2020 @ 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