

# UPPER SAUCON TOWNSHIP MUNICIPAL AUTHORITY MINUTES

Meeting Held Monday, April 5, 2021

4774 Saucon Creek Road

Chairman Bruce Bush called to order the regular meeting of the Upper Saucon Township Municipal Authority at approximately 6:01 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  
Patrick Lambert, Director of Water and Sewer Resources  
Ed Rasich, 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 March 2021 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: 3/16/2021, 3/24/2021, 3/25/2021, 3/28/2021, 4/1/2021.

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Date of letter: 3/2/2021

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Tom Beil, UST; Tom Dinkelacker, LV Law practice

Subject: Sewer Inspection Ordinance

Tim P shared the draft ordinance with me...I provided it to the USTMA board. Unfortunately, since the February meeting was canceled due to snow, last night was the first discussion that was had on the topic. The board members felt that a similar approach should be enacted in UST. Certainly, the concept of the Coopersburg ordinance has been considered/discussed previously but with Coopersburg apparently going forward with this, it appears to be an opportune time for the UST to do the same. There is no doubt that it makes perfect sense for the Township and Borough to have similar ordinances just as it makes no sense for the "contributor" to the UST system to have such an ordinance where the Township does not. Simply stated the USTMA feels that it is now time to proceed in this direction. I was also asked to reiterate the desire of the Board to have the Township move forward with requiring the homes that statutorily must connect to the extended areas of the system to do so. Thank you for your time and consideration.

(a copy of the email which included the proposed Ordinance from Tim Paashaus was included with Gary's email)

[Note: a carbon copy of this email was sent to each member of the Authority]

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Date of letter: 3/2/2021

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Tom Beil, UST; Tom Dinkelacker, LV Law Practice

Subject: Sewer Inspection Ordinance

(Gary forwarded the following email dated 3/2/2021 from Tim Paashaus regarding the subject)

It had one reading and is scheduled for final adoption on March 16<sup>th</sup>. I believe we will implement it for mid-April. We are working on finalizing the checklist to accompany the ordinance. I (attached) an example form another municipality that we are modifying.

[Note: a carbon copy of this email was sent to each member of the Authority]

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Date of letter: 3/8/2021

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: 4886 PA Route 309 Parking Lot Plan

We reviewed the proposed Plan and have the following comments:

1. Applicant shall provide additional documentation, such as water bills, to substantiate the projected average daily sewer usage is 80 gallons per day, this was stated in previous correspondence. In the proposed letter/plan the project engineer indicates the dental office should not exceed 226 gallons per day, which is one Edu per the Township regulations. The projected sewer flow appears to be reasonable form a 2,666 square foot dental office. The cover sheet shall be revised to indicate the projected flows of 226 gallons per day.
2. Since this is a dental office, the applicant shall complete the UST Industrial Pretreatment Program Wastewater Discharge.

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Date of letter: 3/9/2021

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Bruce Bush

Subject: Blue Ridge Chase Subdivision (Formerly Penns View South).....Security Release 3

We reviewed the security reduction request received from Greg Heck of Blue Ridge Saucon LLC in his letter dated 2/5/2021 for sanitary sewer inspection. The developer has requested a release of \$5,500.00 (\$5,000 + \$500 for inspection and construction contingencies). Attached is Hanover’s correspondence dated 11/17/2020 outlining the status of the sewer improvements. In this letter Hanover stated that the sewer collection system was constructed in 2008, the system was video inspected in 2008 and found acceptable by SEA, pursuant to recent site inspection, the sewer collection system is functioning properly, and all manhole chimney seals have been installed.

We recommend the Authority/Township release the request of \$5,500.00 for this project.

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Date of letter: 3/9/2021

Letter from: Andy Bohl, Hanover Engineering

Letter sent to: Patrick Lambert, UST

Subject: Good Shepherd Rehab Hospital Land Development Project.....Projected Sanitary Sewer Flow Review

We are in receipt of the Will Serve Letter request from Pennoni Associates Inc, dated 2/18/2021, with the projected sanitary sewer flows for the proposed land development project located on Center Valley Parkway west of the intersection of Center Valley Road and Saucon Valley Road.

Project is proposing a rehab hospital with 76 beds.

Projected sewage flows are based on 110 gallons per day per bed form an existing Good Shepherd Hospital located in Allentown.

In the 2001 Act 537 Plan Revision, an EDU is equivalent to 176 gpd of water use and the total sewage flow for an EDU is 226 gpd, which includes an inflow/infiltration allocation of 50 gpd.

The projected sewer usage should be the following:

110 gpd x 76 beds = 8360 gallons per day

8360 / 176 gpd = 48 water use EDU's

48 Sewer Edu's x 226 gallons = 10,848 gpd

These revised projected flows shall be utilized when the applicant submits the PADEP Planning Module Exemption Mailer and the UST Sewage Facilities Planning Module for this project.

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Date of letter: 3/11/2021

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Bruce Bush

Subject: Oakhurst Drive Sanitary Sewer Extension Project Award Recommendation Hanover Engineering reviewed the bid proposals for the project received on 3/5/2021 via PennBid. Five bids were received, and they are:

	Base Bid	Total Bid*
April	2021	Page 3164

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Anrich, Inc	\$404,962.00	\$417,752.00
Doli Construction Corp.	\$424,241.00	\$433,341.00
Joao & Bradley Construction Co. Inc.	\$431,285.00	\$439,985.00
A. J. Jurich, Inc.	\$450,471.00	\$457,541.00
Linde Corp.	\$694,055.00	\$706,625.00

\*Total bid amount includes the contingency items.

Our office has reviewed the bids submitted for the project. Based on our review, Anrich Inc. has submitted a complete bid package and they are confirmed to be the low bidder for the project for a Total Amount of \$ 414,752.00.

The Solicitor should confirm wording of "Ten Percent of the Total Base Bid (10%) is acceptable for the Bid Bond as submitted by Anrich, Inc.

We recommend the project be awarded to Anrich, Inc upon acceptance of the apparent low bidder's bid document by the Authority's Solicitor.

(Note: a copy of this letter with its attachments was forwarded to each member of the Authority for their perusal on 3/24/21)

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Date of letter: 3/11/2021

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Andrew Bohl, Hanover Engineering, B. Bush

Subject: Oakhurst Drive Sanitary Sewer Project

I reviewed the bid of Anrich identified to me as the low bidder for this project. I find their bid to be complete and acceptable. Based on their list of projects it would also seem that they are responsible as well. My only comment, please assure that they provide an insurance certificate that lists the Township and the Authority as certificate holders (right now we have a sample which is fine for these purposes). I would also suggest that as the project MIGHT go beyond July when their insurance ends...make sure we get a renewal of the certificate / proof of insurance at that time.

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Date of letter: 3/12/2021

Letter from: Andrew Bohl, Hanover Engineering (email)

Letter sent to: Gary Brienza, Solicitor and B. Bush

Subject: Oakhurst Drive Sanitary Sewer Project

Thanks for the prompt review. I will mention to Anrich about the insurance requirements.

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Date of letter: 3/25/2021

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Bruce Bush

Subject: Updated Inspection Ordinance

Gary forwarded the following message.....

From: T. Paashaus, Borough of Coopersburg, dated 3/23/21

To: Andrew Bohl, Hanover Engineering; Thomas Beil, UST and Gary Brienza

FYI, here is the final ordinance and checklist that was approved for sump/gutter/sewer lateral inspections when real estate is transferred in the Borough. We have already

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started implementing this with current utility certification requests from abstract companies.

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Date of letter: 3/27/2021

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

Letter sent to: Mark Malkames, Malkames Law Offices

Subject: Saucon Valley Crossing

(Attached) are the revised assignments with the revision you requested. Ask your clients to execute all documents and return to me. I will secure Township signatures and record. Upon recording I will circulate documents with recording info, and we can wrap this up.

\*\*\*\*\*

Date of letter: 3/31/2021

Letter from: Mark Mortensen (email)

Letter sent to: Tom Dinkelacker, LV Law Practice

Subject: Saucon Valley Crossing

I will be mailing the original to Tom Dinkelacker's office in today's mail.

\*\*\*\*\*

Date of letter: 3/31/2021

Letter from: Andrew Bohl, Hanover Engineering

Letter sent to: Patricia Lang, UST

Subject: Good Shepherd Rehab Hospital Land Development Sketch Plan.....Sanitary Sewer Review #2

We reviewed the subject dated 3/5/2021 prepared by Pennoni Associates, Inc. and the Response Letter dated 3/5/2021 from Pennoni Associates, Inc.

Hanover then listed twenty comments regarding their review. See letter for details.

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Date of letter: 3/31/2021

Letter from: Andrew Bohl, Hanover Engineering (email)

Letter sent to: Tom Beil, UST; P. Lambert, UST and others

Subject: Industrial Pretreatment Questionnaire – Second Request

(Attached) is the second request letter and Forms for the Annual Pretreatment Questionnaire for 2020.

Five customers have not returned the completed questionnaire for 2020 as of March 30, 2021.

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Date of letter: 3/31/2021

Letter from: Gary Brienza, Solicitor (email)

Letter sent to: Andy Bohl, Hanover Engineering; Tom Beil, UST; P. Lambert, UST and others

Subject: Industrial Pretreatment Questionnaire – Second Request

The hotels and Lutron are large enough businesses that you would expect a response would not be problematic. Certainly, Lutron has replied in the past...the hotels are of a more recent "vintage" so not sure if they have replied prior to this. The other two businesses (Madle's/pizza shop in the same strip and the car wash) are small enough

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that a reminder in person should be easy to do. I do not recall having trouble previously with Madle's....I know that the car wash seems to be a problem every year. The lack of response is frustrating, but I am unsure if the Authority has an ability to "enforce". I know that Patrick and Ed were planning to pay a visit to the car wash...not sure about Madle's. Again, since though, both are small enough that a personal tickler visit is feasible (not so much with the others). If Tom D has any thoughts on how we can work together, under the township code or ordinances, to enforce, I would love to proceed.

\*\*\*\*\*

Date of letter: 3/31/2021

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

Letter sent to: Gary Brienza, Solicitor; Andy Bohl, Hanover Engineering; P. Lambert, UST and others

Subject: Industrial Pretreatment Questionnaire – Second Request

I thought that we placed enforcement of our sewer regs. The superintendent in the recent version of 41-R (Sewer Use Ordinance). See below from 41-R. I think under 42-R (?) the superintendent can issue NOV's.

## **B.9.2 Compliance.**

**B.9.2.1** Any person owning or operating a POCS shall operate and maintain the POCS in good working order and in full compliance with this Ordinance and all applicable Federal, State and local laws, regulations, ordinances and permits governing the operation of the POTW.

**B.9.2.2** Where the owner or operator of the POCS knows or through the exercise of reasonable diligence should know that the POCS or any part thereof is not in good working order, such person shall immediately notify the Superintendent and commence corrective measures.

**B.9.2.3** Upon notification to the Superintendent pursuant to sub-section B.9.2.2 above, the Superintendent shall issue a notice in writing to the owner or operator identifying the corrective action to be taken and the timeframe in which to complete the same.

## **B.9.3 Reporting Requirements.**

**B.9.3.1** The owner or operator of a POCS shall comply with all of the reporting requirements of this Ordinance.

**B.9.3.2** In addition to the general reporting requirements of this Ordinance, the owner or operator of a POCS shall provide to the Township the following information:

1. An annual report setting forth sewer system specifications, projected flow rates, a description of operational procedures utilized, a description of all inspections and the results thereof, identification of all maintenance procedures performed, identification/discussion of known problems and identification and discussion of the system operations.

**B.9.4 Application to Existing Users.** This Section shall apply to existing Users of the POTW.

## **CORRESPONDENCE COMMENTS:**

None

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## **SOLICITOR'S REPORT:**

The Solicitor's Report dated April 5, 2021 was presented by Solicitor Brienza.

Solicitor Brienza said that he is waiting to hear if everything is finalized for Brinley.

Attorney Brienza noted that everything for Saucon Valley Crossings is finalized but needs signatures to be recorded.

Solicitor Brienza told the Authority that he is waiting for an update from the Township Solicitor for Weyhill/Blue Belle.

Solicitor Brienza said that he reviewed bid from the low bidder for the Oakhurst project to make sure it met requirements and that he approved it.

Attorney Brienza noted that the Mount Trexler project is proceeding but may need to change the location of the pump station. The attorney for Mount Trexler is going to prepare a draft agreement with the Township for cost sharing of this sewer extension project. Specifics are unknown until receipt of agreement. He is hoping to have the draft prior to next month's meeting.

Solicitor Brienza said that he sent a draft Ordinance like Coopersburg's to Tom Beil for review. Coopersburg did adopt the ordinance at their last meeting. Coopersburg also shared a checklist of how they intend to proceed to enforce the Ordinance. Gary has had no response from the Township regarding adopting something similar. The Municipal Authority would like the Township to move forward and adopt a similar Ordinance.

Attorney Brienza told the Authority that the 4895 Majestic Drive sewer connection issue is to the point where he needs to get involved so he will begin to review all documentation associated with this.

Attorney Brienza said that the Corporate Parkway can be removed from his report.

## **ENGINEER'S REPORT:**

Andrew Bohl, PE, presented Engineer's report dated April 1, 2021.

Mr. Bohl noted that he had a meeting with representatives from Mt. Trexler and they are still working through a few items. Mr. Sanchez who lives on Chestnut Hill Road will allow access to survey and delineate wetlands. Everyone on the route has given verbal approval to access their property's. The location of the proposed pump station appears to encroach on some wetlands, so he's reached out to DEP to see about the feasibility of this location. If it is not feasible the pump station will have to be relocated.

Mr. Bohl said that bids for the Oakhurst project were received on March 3, 2021 and he has provided a letter of recommendation for approval to the Board of Supervisors to award the project to Anrich Inc. of Wayne, PA.

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Mr. Bohl told the Authority that he received a proposal from Paragon Engineering to do the electrical design for the Executive Parkway project.

Mr. Bohl said that Coopersburg exceeded their allotment all but three days last month. They averaged 850,000/GPD but they are only allocated 500,000.

Mr. Bohl noted that construction has begun for the repair at Valley Manor.

Mr. Bohl indicated that our water tables are higher than normal, and this could be contributing to some of the I&I issues.

Mr. Bohl said that the developers for Old Saucon have hired a new Construction Manager and he has reminded them that they still need to fix the sag in the sewer pipe. He informed the new manager that the Township will not issue any CO's until this is fixed, however it was noted that the Township lacks a policy to police the issuance of CO's. CO's are being issued that should not be, and this will cost the Township money in the future because of issues that are not being resolved properly or in a timely manner.

Mr. Bohl told the Authority that Wendy has received all but five IPP's and he has sent out 2<sup>nd</sup> notices to those five. Virtually none have submitted what is required. He suggested going out and doing inspections as well as having Trent issue violation citations.

Mr. Bohl noted that the Chapter 94 was sent to DEP last week.

Mr. Bohl updated the Authority on 4895 Majestic Drive, Lot 56 in Blue Ridge West. The builder sent a letter to Tom Beil complaining that we are holding up the CO even though the resident has been living there for months. Andy has issued a letter outlining what has occurred so far and giving them several (4) options to remedy the situation. To date he has received no response from the contractor.

Bruce Bush asked Andy if Wawa had tunneled under 309 and if so for what purpose? Andy's response was that they ran the water connection under 309 and that this will eventually run to the Estates at Saucon Valley.

Mr. Bohl has two motions for approval tonight.

## **SUPERINTENDENT'S REPORT:**

Mr. Lambert told the Authority that most of the work on the Benckini property has been finalized and he is waiting for Hanover to give a bid proposal on moving the sewer line from the middle of the stream.

Mr. Lambert noted that 14 new sewer meters have all been placed and that all but 2 can now be accessed remotely so he can see the numbers daily. He has been noticing an issue behind Aldi's. When Route 309 and Center Valley Parkway flood this meter goes



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through the roof. Several meters have now been placed in this area to try and determine where the leak is during the next rain event. Last week a leak of about 125GPM was found on Lanark Road near Madle's. The Sewer Department has also been out with Coopersburg trying to trace some larger leaks. So far, they have covered about 8 or 9 streets in Coopersburg. They are finding a lot of terra cotta and a fair number of roots in the pipes.

## **TREASURER'S REPORT:**

Mr. Sullivan reported that there were no disbursements this month so with interest, the balance stands at \$706.98. The quarterly report does need approval.

Motion made and seconded to approve the Treasurer's Report dated April 5, 2021 as presented.

Motion passed unanimously.

## **MOTION (S):**

A motion was made and seconded to release the Line of Credit in the sum of \$5,500.00 for the Blue Ridge Chase subdivision. REF: Hanover Engineering letter dated March 9, 2021.

Motion passed unanimously.

Motion was made and seconded to forward a recommendation to the Board of Supervisors to award the Oakhurst Drive sanitary sewer extension project to Anrich Inc., of Wayne, PA with a base bid of \$404,960 and a total bid of \$417,752. REF: Hanover Engineering letter dated March 11, 2021.

Motion passed unanimously.

## **UNFINISHED BUSINESS:**

A. Unconnected Sewer Analysis

Gary discussed this with Tom Beil and noted that if the Mt. Trexler project goes through it could bring this issue to a head.

B. Sewer Tapping Study – This continues to be an unresolved issue.

## **NEW BUSINESS:**

Bruce included a copy of the Ordinance and checklist that Coopersburg approved, in all board members packets for tonight meeting, for their review.

PMAA sent out a memo for a performance assessment program but according to the cover letter it appears to be geared towards an operating Authority.

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There was also a House bill that would require multiple properties served by a single unit to be classified as commercial but again Bruce said this seems geared towards an operating Authority.

## **ANNOUNCEMENTS:**

The next scheduled meeting of the Authority will be Monday, May 3, 2021 @ 6:00 PM at the Water and Sewer Building. Prior to the meeting a tour of the new garage will take place for those wishing to attend. If time allows, they may also visit the Plant.

## **ADJOURNMENT:**

With there being no further business to discuss, the meeting of the Upper Saucon Municipal Authority was unanimously adjourned at approximately 6:56 pm.

Respectfully submitted,

Ryan Holmes  
Secretary