

NOV 2014

## BINGAMAN HESS

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1907-1996

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J. WENDELL COBLENTZ  
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JAMES F. BELL  
1921-1988

November 14, 2014

Mr. Fred Lustri  
Falla Development, LP  
105 Lakeview Drive  
Harleysville, PA 19438

Re: Bernville Borough Authority - Penn Hills Development  
Our File No.: 92029-1

Dear Fred:

As you requested in our telephone conversation of November 13, 2014, I am enclosing herewith photocopies of the three Irrevocable Standby Letters of Credit, Nos. D004300, D003732, and D003731.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

BINGAMAN HESS



David E. Turner

DET:mat

Enclosures

cc: Bernville Borough Authority  
Mahlon J. Boyer, Esquire

CHRIS HARTMAN  
NEW TOWN ATTORNEY

DANNY STRUNK  
NEW COMMISSIONER

# SEAT 2015

From: **david bright** david.Bright@ssmgroup.com  
Subject: **Bernville Water System / Penn Hills Water Main Loop / 100090.0001**  
Date: **September 20, 2015 at 10:36 AM**  
To: **fredlustri@aol.com**  
Cc: **bernvilleboro@comcast.net, mjboyer@bhcb.com, Melanie A. Taylor MTaylor@bhcb.com, scott carl scott.carl@ssmgroup.com**

SEPT 20

Mr. Lustri,

Scott Carl informed me of your telephone conference with him on Thursday regarding the proposed water main loop construction through Phases 3 and 4 of the Penn Hills subdivision in Penn Township. The Borough has received a letter of adequacy from the Berks County Conservation District for the proposed work. We are finalizing the plans and specifications for the Borough's use in receiving bids for the work, and I expect that this job will be advertised (for receiving bids) in October or November. After all the required paperwork is in place between the Borough and the contractor, I then would expect construction to begin probably in January and to be completed before Spring.

Please contact me if you have a question or if you want to discuss the status of the project.

David Bright  
Senior Engineer  
SSM Group, Inc.

JAN 2016

From: **david bright** david.Bright@ssmgroup.com  
Subject: RE: Bernville Water System / Penn Hills Water Main Loop / 100090.0001  
Date: Yesterday at 2:36 PM  
To: fredlustri@aol.com  
Cc: bernvilleboro@comcast.net, mjboyer@bhcb.com

Borough Council needs to take official action to award the contract; and then the low-bidder needs to obtain and provide evidence of the specified insurance and bonds.

**From:** [fredlustri@aol.com](mailto:fredlustri@aol.com) [<mailto:fredlustri@aol.com>]  
**Sent:** Monday, January 04, 2016 2:35 PM  
**To:** bright, david  
**Subject:** Re: Bernville Water System / Penn Hills Water Main Loop / 100090.0001

Mr Bright  
If bid opening is next month, why the delay in construction?  
Regards  
Fred Lustri

Sent from my iPhone

On Jan 4, 2016, at 2:30 PM, bright, david <[david.Bright@ssmgroup.com](mailto:david.Bright@ssmgroup.com)> wrote:

Mr. Lustri,

I apologize, but the schedule for the water main project has slipped, with the bid-opening date now likely to be some time in February. Construction would then be several months after the bid-opening.

David Bright

**From:** [fredlustri@aol.com](mailto:fredlustri@aol.com) [<mailto:fredlustri@aol.com>]  
**Sent:** Monday, January 04, 2016 1:36 PM  
**To:** bright, david  
**Subject:** Re: Bernville Water System / Penn Hills Water Main Loop / 100090.0001

Good afternoon Mr. Bright

Can you please update me on the progress of the loop on my subdivision, we are trying to get this completed so we can start building homes in the spring.

Thank you

Fred Lustri

Falla Development LLC

# Fulton Bank

LISTENING.

BUSINESS FINANCIAL SERVICES GROUP

January 05, 2007

Bernville Borough Authority  
6602 Bernville Road  
PO Box 104  
Bernville, PA 19506

RECEIVED

JAN 18 2007

SPOTTS, STEVENS  
and MCCOY, Inc.

Re: Irrevocable Standby Letter of Credit No. D004300

Ladies and Gentlemen:

Enclosed is an original Standby Letter of Credit issued at the request of our customer, Corrado Development, LLC. Telephone inquiries regarding this Standby Letter of Credit should be directed to the Letter of Credit Dept. at (717) 291-2649.

Regards,

*Cheryl A. Stuber*

Cheryl A. Stuber  
Fulton Bank

for Phases 3 + 4

SEPT 2014

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1921-1988

September 15, 2014

Angelo Corrado, President/CEO  
Corrado Homes, Inc. and  
Corrado Delopment, LLC  
965 Park Road  
Blandon, PA 19510

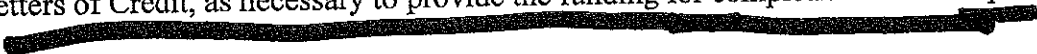

Re: Penn Hills Development  
Borough of Bernville  
Irrevocable Stand By Letters of Credit Nos. D003732, D004300 and  
D003731  
Our File No. 92029-1

Dear Mr. Corrado:

As you will recall, I am the solicitor of the Bernville Borough Authority. The purpose of this letter is to request your cooperation in completion of the "loop" from Phase II to Third Street as required under Penn Hills Development Water Extension and Service Agreement dated June 10, 2004.

As you know, the Agreement provides, at Exhibit "B", paragraph 4, that the Authority can use the money currently held in escrow to complete the loop on East Fourth Street. The subject escrow consists of Fulton Bank Stand By Letters of Credit Nos. D003732, D004300 and D003731.

By copy of this letter, the Authority is notifying Fulton Bank of its intention to call the Letters of Credit, as necessary to provide the funding for completion of the loop.



OCT 2014

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October 21, 2014

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Falla Development, LP  
105 Lakeview Drive  
Harleysville, PA 19438

Re: Penn Hills Development  
Borough of Bernville/Penn Township  
Our File No. 92029-1

Dear Sir or Madam:

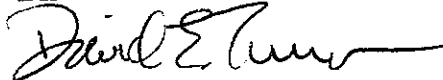
I am the solicitor of the Bernville Borough Authority. It is my understanding that you are the current owners of Phases III and IV of Penn Hills Development in Bernville/Penn Township. The purpose of this letter is to request your cooperation in completion of the "Loop" from Phase II to Third Street as required under Penn Hills Development Water Extension and Service Agreement dated June 10, 2004. A copy of that Agreement is enclosed herewith. I am writing at this time to inquire as to the status of construction and what is your intention as to completion of the loop on East Fifth Street. Alternatively, the Agreement provides, as Exhibit "B", paragraph 4, that the Authority can use the money currently held in escrow to complete the loop.

Please contact me at your earliest convenience to advise me as to the status of this construction.

Thank you for your anticipated cooperation in this matter.

Very truly yours,

BINGAMAN HESS



David E. Turner

DET:mat  
Enclosure

cc: Spencer Watts, Chairman, Bernville Borough Authority (w/o encl)  
David Bright, P.E. (w/o encl)