

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY

Tuesday, June 12, 2007

7:30 AM

Those in Attendance:

Gerald Kirkpatrick, Vice-Chairman
David Summers, Treasurer
Joseph Anthony, Secretary
Sandra Moser, Member

Absent:

Michael H. Corbin, Chairman

Also in Attendance:

Scott T. Piersol, Township Manager
Matthew V. VanLew, Roadmaster
John Spangler, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, June 12, 2007 at the East Brandywine Township Municipal Building. Mr. Kirkpatrick called the meeting to order at 7:30 A.M.

Minutes: May 8, 2007

Mr. Kirkpatrick asked if there were additions or corrections to the above minutes. There were none. Mr. Anthony made a motion to approve the May 8, 2007 minutes as presented. Mr. Summers seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley reviewed the Treasurer's Report and Account Balance as of June 8, 2007. As part of the discussion, Mr. Summers stated that he has reviewed the Municipal Authority budget vs. actual spending and is satisfied that the Authority is on target relative to budget for 2007. Mr. Anthony made a motion to approve the Treasurer's Report and authorize payment of the bills. Mrs. Moser seconded the motion, with all voting Aye.

Sewer Connection Updates

Mrs. Smedley provided the following update on connections to the Guthriesville Sewer District.

Timothy Miller – Mr. Miller had agreed to connect to the sewer system no later than June 1, 2007, but has not done so. Mrs. Smedley left a message with him last week and will attempt to contact him again. If Mr. Miller does not connect to the sewer system further action will be taken.

Craig and Lauri Saunders –The Sanders have connected. This item is resolved.

Guthriesville Service Center – Tapping fee paid. The owner is in the process of selling the property.

Verma – Mr. Spangler has filed a municipal lien.

Joe Burns Beverage – Mr. Ulrich will attend the July Municipal Authority meeting to discuss the proposed use for his property.

Wawa/DiGiamberardino Property – Wawa’s attorney has agreed to pay the tapping fee for the property. A formal letter will be sent by the Township requesting payment of the tapping fee. Although the applicant has requested a \$200 reduction for the tapping fee, The Authority declined this request because the reduction was only given to those property owners who paid by a certain date to encourage those with outstanding hook-up obligations to pay, that date having long since past several YEARS ago.

Hillendale Development

Southdown Homes is proposing the construction of a 149-lot single-family and 59-lot townhouse development known as Hillendale. The site is located in the R-1 Residential District and Mobile Home Park Overlay Zoning District. The preliminary plans have been prepared in accordance with a settlement agreement signed on November 4, 2004. The development is located adjacent to Creek Road. Access to the site is proposed from both Township Road and Creek Road. All roads are to be dedicated to the Township. All roads are residential streets, except Road “B”, which is classified as a main collector.

On-site wastewater collection and treatment is proposed as well as an on-site community drip irrigation system. Two pumping stations and one treatment facility are proposed. The project will be served by public water.

Water Quality Management Permit Application (Part II)

Mr. Boldaz stated that Schoor DePalma received a revised WQM Permit application and related documents dated May 25, 2007 from Evans Mill Environmental which provided detailed responses to Schoor DePalma’s comments. Mr. Boldaz stated he is satisfied that his comments have been adequately addressed and he is recommending that the Authority allow this project to

proceed with the PADEP Part II permitting process. The Authority agreed that the application could be sent to PADEP.

Water Main Extension Letter - Discussion

Schoor DePalma reviewed a plan that depicts the proposed off-site water main extension from Uwchlan Township. This extension is to East Brandywine Township, which is to only serve the Hillendale subdivision and contemplates or intends no other. The Authority sent a letter to Southdown Homes dated June 6, 2007 that stated the Authority is in agreement with the general routing of the main, provided that any and all easements and appropriate environmental permits are obtained. It also discusses several discrepancies on the plan. The applicant was asked to address those discrepancies and resubmit the plan for review.

Groundwater Monitoring Plan

A draft "Groundwater Monitoring Plan" was received by Schoor DePalma. Schoor DePalma's original comments noted that in the case of groundwater monitoring frequency, a contingency plan or increased sampling should be considered if parameter concentrations appear to change as a result of system operation. Although Evans Mill does not feel a change in the plan is necessary, Mr. Boldaz continues to recommend that a statement be added such as "Evaluation and interpretation of monitoring results should be conducted on a continuous basis and an appropriate response should be implemented, if warranted." Mr. Boldaz has not received a response from Southdown yet.

Hide-A-Way Farms Pump and Haul Plan

Mr. Boldaz reviewed the Pump and Haul Log Book, which includes documentation through March 29, 2007. The checklist was reportedly completed by Earthcare/McGovern Environmental. The inspection and pumping checklist were found to be inconsistent with the plan as approved by PADEP as the developer or the hauler failed to complete the required inspections three times per week with no more than two days between inspections for the months from November through March.

Mr. Boldaz stated that he understood that the amount of flow into the holding tank is considerably less than originally anticipated. Mr. Boldaz suggested that a draft letter be crafted to PADEP requesting an amendment to the agreement to reflect the current inspection frequency, or that the inspection frequency be increased to be consistent with the approved PA DEP Pump and Haul Permit. Until PA DEP and the Municipal Authority approve the change, the applicant should follow the inspection schedule in the approved agreement.

The Authority asked if funds were escrowed to continue the pump and haul if this developer or any other developer failed to follow through with the pump and haul plan. Mr. Boldaz does not

believe funds are escrowed for this. It was suggested that in the future funds be escrowed in the event a developer defaults or otherwise failed to meet their obligations.

Guthriesville Plaza

The owner and applicant is Guthriesville Plaza Associates. The plan proposes a subdivision of Parcel 30-5-70.4 into two separate lots. The tract is located within the Village Commercial Zoning District and is situated between Horseshoe Pike and Hopewell Road. Present access to the site is from Horseshoe Pike. The site contains a strip commercial center, a parking lot, concrete walks, sheds, storm sewers and steep slopes. No new improvements are proposed. Mr. Jim Worrell, owner of the property attended the meeting to request sewer capacity for the property. The existing commercial center and is connected is part of the Guthriesville Sewer District.

Mr. Worrell provided a letter from Aqua American signed by Alan Roth and dated June 7, 2007 that stated Little Washington Wastewater Company has the available treatment and disposal capacity at their treatment plant for this project. The applicant is requesting 795 gallons per day, or approximately 3 EDU's (equivalent dwelling units).

The applicant will request a waiver from Act 537 for completing a Sewage Facilities Planning Module, but at this time it isn't known if that waiver request will be granted by PA DEP. If the applicant needs to submit a Planning Module to PA DEP, it will not only take additional time, but will also be more expensive. It was suggested that a letter be sent to PADEP outlining the reasons why the applicant and Authority don't think a Planning Module is necessary in this (and future) cases.

Mr. Boldaz was asked if the additional flows could be included when Pulte amends their Act 537 Plan. Although this could be done, Mr. Boldaz doesn't feel it is necessary for the small amount of sewage that will be generated by this project. He also feels that it is unfair to make another developer responsible for adding these flows into their Planning Module. Mr. Worrell was asked to have his engineer, Adam Brower, contact Mr. Boldaz to discuss this matter.

Watters/Spence Property Preliminary Utility Review

Mr. Boldaz provided a preliminary utility review letter dated May 31, 2007. He stated that all utilities within 300 feet of any part of the property should be shown on the preliminary plan submission including all existing utilities for the Brandywine Village Associates property and the Hopewell Development. Mr. Boldaz also suggested several alternatives for future connection to the Overlook Wastewater Treatment plant that the applicant should consider.

Applecross Development (AKA Overlook Road Farm)

The applicant is proposing to build a combination of single family homes, carriage homes, and townhouses for a total of 655 units on both the north and south side of East Reeceville Road. The plan also shows an 18-hole Jack Nicholas-designed golf course with a clubhouse. The property encompasses approximately 621.74 acres of land, comprised of 307.58 acres north of East Reeceville Road and 314.16 acres south of East Reeceville Road. The southern portion of the proposed development is a 310 acre tract located in the R-2 Zoning District and proposes single family homes on individual lots and approximately half of the golf course. The portion of the property north of East Reeceville Road was granted preliminary plan approval in March of 2004.

The "North Tract" is being reviewed under the "Clustered Residential Development" regulations of the R-3 Residential Zoning District in conjunction with the Settlement Agreement dated April 1, 2004. The "South Tract" is being reviewed under the "Clustered Residential Development" regulations of the R-2 Residential Zoning District. The project is proposed to be constructed in five phases. The applicant received final plan approval, with conditions, for Phase 1 of the development on November 2, 2006.

Mr. John Curtin and Mr. Fred Ebert attended the meeting on behalf of the applicant.

Force Main/Pump Station Review

Mr. Boldaz is currently reviewing this information and will provide comments prior to the next meeting. Mr. Ebert stated that the force main connects to Pump Station G. It is in the first cul-de-sac under construction.

Pump and Haul Agreement

Mr. Fred Ebert provided a draft Pump and Haul Agreement for the Board of Supervisors and Municipal Authority to review. Since the applicant is anticipating at least 15 settlements of estate and townhouses this year they would like to have the Pump and Haul Permit in place no later than October of 2007. Mr. Ebert said that he would like to make one modification to page 3 of the Agreement. The applicant would like the ability to install a 1,000 to 10,000 gallon holding tank in the event that sewer collection infrastructure and Pump Station A aren't constructed before the model homes are done. According to Mr. Ebert, the sewer line doesn't have a great deal of collection capacity. Mr. Boldaz concurs with Mr. Ebert's recommendation.

A Provision will be added to II (f) that the cost to provide pump and haul service at full capacity to 177 units will be escrowed in the event the developer does not follow through with the Pump and Haul Agreement.

The Board of Supervisors was given the Agreement at their last meeting and will consider approval of it at their July 18, 2007 Board Meeting. The Municipal Authority will consider approval of the Agreement at their July 10, 2007 meeting.

Part II Permit

Mr. Curtin stated that the Part II permit is ready to be issued but is being held up at PADEP in permit coordination for coordination with a stormwater related NPDES Permit.

PADEP is reviewing the NPDES permit for a proposed discharge from the Applecross treatment plant to Beaver Creek. The stream discharge will serve as a backup to the primary and secondary disposal options of golf course irrigation and drip irrigation. This information was also sent to the Delaware River Basin Committee (DRBC) who will review it at their next meeting.

At the request of the DRBC, monitoring wells have been installed between the storage lagoon and the Kay wells. Mr. Ebert will inform the Authority if the DRBC enforces sampling at the wells since this would mean an extra cost to the Authority. Mr. Curtin was asked who would own the wells. The monitoring wells will be owned by the golf course, but the Authority will have easements to them. The Kay wells will also be owned and operated by Aqua Pennsylvania, the ground surrounding the wells will be owned by the golf course.

Mr. Ebert was asked what would happen if the monitoring wells started showing adverse affects. According to Mr. Ebert, if there were problems with the monitoring wells it would probably be from over-fertilization of the golf course. He stated that adverse affects to the wells from the WWTP would be preceded by discharge violations at the treatment plant or failure to the lagoon liner. The Municipal Authority could also take samples from the monitoring wells if they wish.

Construction Issues

At the Planning Commission Meeting it was noted that there has been a lot of construction along Bollinger Road and East Reeceville Road. There are no flagmen, some of the equipment is unlicensed and is causing a hazardous situation. This matter has been discussed with Mr. Sabatini at Pulte Homes.

Sewer Odor Issues

Mr. Piersol stated that the V-Rae Gas Monitor was repaired, but the software needs to be upgraded. He will send it back to Pine Environmental Services, Inc. for the necessary upgrades.

Mr. Bob Taylor, the plant operator for the Little Washington Wastewater Treatment Plant met with Mrs. Cindy Ziegler a resident who has been keeping a log of the odor issues. According to Mr. Taylor, the odor issues are coming from *inside* her residence. Mrs. Ziegler is not the only resident complaining about odors and the complaints have come from the Culbertson Run/Hedgerow development, the Timbers development and a resident on Little Washington Road. Mr. Piersol will update the Authority when he has additional information.

The Authority is continuing to use the B-222 biological materials to help with the odor issues. The Authority is still uncertain whether the odors are the Authority's responsibility or whether it is the responsibility of the Little Washington Wastewater Treatment Plant. Using the gas monitor will not help in determining the cause of the odors, but will determine the level of hydrogen sulfide, the gas that causes the odors.

Mr. VanLew said that the last email from Mr. Roth indicated that he thought the odor issue was the Township's problem although he agreed to install charcoal filters over the grates. Mr. VanLew stated filters have been installed on a portion, not all of the grates. Mr. Boldaz suggested that if Aqua would put a structure around the wet well it would alleviate the problem. Mr. Boldaz will also send a letter to Mr. Roth suggesting that the grates be completely covered with charcoal filters.

EDU Request from East Brandywine Baptist Church

In response to the East Brandywine Baptist Church request for sewer capacity, Mr. Piersol sent a letter requesting additional information about the Church and its current and proposed uses. He asked them to provide an estimate of their present sewage flows, the area of the existing building, as well as additional details on the proposed future expansion of the building. The Church was also asked to provide a timeframe for expansion and the proposed need for public sewer in written form. To date there has been no response from the Church.

Guthriesville Pump Station

Mr. VanLew reported that there have not been any recent spikes and the data is relatively stable. Mr. VanLew and Mr. Boldaz will try to coordinate an inspection of the manholes and sewer line flows during a rain event, to identify possible areas of significant inflow and infiltration.

Mt Idy

Mrs. Smedley stated that Misa Corporation will be withdrawing their Sewage Facilities Planning Module. They had interest in looking into public sewer, but when it was explained that the Authority and PADEP are not aware of any septic problems at the site and any expansion of the Hillendale sewage treatment plant would be solely the financial responsibility of Misa Corporation they decided to withdraw the Planning Module.

Sewage Management Proposals

Mr. Piersol stated that he accept Yerkes Associates Sewage Management proposal. The proposals submitted by Yerkes and Schoor DePalma were comparable, but Mr. Piersol stated it would be more efficient for Yerkes to implement the program because the Township already contracts with them for the GIS system.

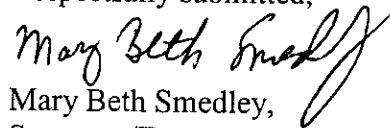
Public Comment on Non-Agenda Items

Mr. Kirkpatrick asked if there were comments on non-agenda items. There were none.

Adjournment

There being no further business, Mr. Anthony moved to adjourn the meeting at 9:05 A.M. Mr. Kirkpatrick seconded the motion, and the motion was approved by unanimous vote.

Respectfully submitted,


Mary Beth Smedley,
Secretary/Treasurer