

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
Tuesday, August 14, 2007
7:30 A.M.

Those in Attendance:

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

Absent:

Michael Corbin, Chairman

Also in Attendance:

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

The Municipal Authority met on Tuesday, August 14, 2007 at the East Brandywine Township Municipal Building. Mr. Kirkpatrick called the meeting to order at 7:35 A.M.

Minutes: July 10, 2007

Mr. Kirkpatrick asked if there were additions or corrections to the above minutes. There were none. Mr. Summers made a motion to approve the July 10, 2007 minutes as presented. Mrs. Moser seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley reviewed the Treasurer's Report and Account Balance as of August 13, 2007. Mr. Anthony made a motion to approve the Treasurer's Report and authorize payment of bills. Mr. Kirkpatrick 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 has verbally agreed to connect to the sewer system, but is still working out financing. Mrs. Smedley attempted to contact Mr. Miller this month, with no success. Mr. Miller was first given notice to connect on July 7, 2005. Because of the length of time the Authority has given Mr. Miller to connect, and his continued inactivity relative to doing so, Mr. Spangler will be instructed to prepare a letter advising

Mr. Miller of the legal consequences of not making a connection to the Guthriesville sewer collection system.

Update on Delinquent User Fees

Mr. Summers and Mr. Piersol attempted to contact Mr. Paynic by telephone, but were not able to reach her. Mr. Piersol contacted one of her neighbors and advised them that the Township has been trying to contact Mrs. Paynic. Mr. Piersol followed up the attempted contact with a letter, but to date has received no response. Mr. Spangler will be asked to send a letter to Mrs. Paynic regarding the non-payment of these sewer fees. If she does not respond, further legal action will need to be taken.

Hide-A-Way Farms Pump and Haul Plan

Mr. Boldaz sent a letter to Mr. Earl Cooke dated July 17, 2007 requesting that the developer complete the requested inspection and complete inspection logs three times per week with no more than two days between inspections (as required in the PA DEP permit). Mr. Boldaz also requested that the Inspection and Pumping Checklist be submitted to his office on a monthly basis. Mrs. Smedley spoke to Mr. Cooke last week and requested that copies of the log book from March 30th forward be submitted to Mr. Boldaz. To date a copy of the log book hasn't been received.

Since the Pump and Haul Permit expires November 1, 2007, it was asked if it was possible that the permit might possibly be amended to decrease the pumping and hauling frequency. After discussion, the Authority agreed that the frequency should remain as it is in the original permit, and that the Developer's inspection process should match the permit, rather than change permit conditions to match existing inspection habits.

Until the up-to-date log books are received and there is verification that the existing Pump and Haul Permit is being followed, the Authority is recommending that no further building permits be issued for the development. Mr. Boldaz will call Mr. Cooke to discuss this.

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.

Pump and Haul Agreement

Mr. Boldaz stated that Chairman Corbin, Mr. Spangler and he have reviewed and edited/negotiated the Pump and Haul agreement and are recommending it be approved by the Authority. Mr. Kirkpatrick made a motion that the Authority approve the permit and that the Authority recommend to the Board of Supervisors that they sign and approve the Agreement. Mr. Anthony seconded the motion, with all voting Aye.

Water Obstruction and Encroachment Permit no. E15-770

Mr. Boldaz has reviewed the Water Obstruction and Encroachment Permit, together with the General Permit, both sent by PADEP to the Authority regarding the proposed development. Both permits are consistent with the application prepared by Horizon Engineering on behalf of the Authority. Mr. Boldaz recommended signing the permit and sending a copy to PADEP. Mr. Kirkpatrick will sign the permit on behalf of the Municipal Authority.

Prior to commencement of construction, the Acknowledgement of Notification of Permit Conditions must be completed and signed by the Municipal Authority and the individual responsible for supervision or control of the construction work. Copies of the Permit and Notification must be kept at the work site for inspection.

The Water Obstruction and Encroachment Permit must be signed by the Municipal Authority and the supervising engineer indicating that the work has been completed and approved and returned to PADEP within 30 days of completing the work. The PASPGP-3 Permit and Compliance, Self Certification Form must be signed and returned to the Philadelphia District U.S. Army Corps of Engineers following the completion of work.

Schoor DePalma July 26, 2007 review letter – Pump Station "A" Review #3

Mr. Boldaz reviewed design documents dated November 15, 2004 and revised June 4, 2007, as submitted by Ebert Engineering. The proposed pumping station is located in the southwestern portion of the proposed development and will convey wastewater, on a temporary basis, for West Brandywine Township and on a permanent basis for East Brandywine Township to the Applecross Wastewater Treatment Plant. He reviewed the design plans with respect to the proposed sanitary pump station and related appurtenances and offered comments for the applicant's consideration. Mr. Boldaz and Mr. Ebert have

been in discussions about the fence that will enclose the pump station. Since the pump station will be on a golf course the applicant does not want to install a chain link fence.

Rather, the developer would propose to install either a fence using other materials or have locking devices on the pump station. Mr. Boldaz did not object, assuming that the structures and appurtenances would be used and protected in a secure way. Alternative methods to secure the pump station infrastructure will be discussed with the golf course's landscape architect, with the developer to return with alternative plans relative to pump station security/protection.

Schoor DePalma July 20, 2007 review regarding Construction Clarification (Addendum #5)

Mr. Boldaz offered comments on Addendum #5 provided by Horizon Engineers for the applicant to review. Mr. Boldaz stated this letter discussed the routing of the force mains. According to Mr. Boldaz, most of the comments either have been addressed or will be addressed. No particular action is required by the Authority at this time.

Process for Construction Drawing Revisions, Field Changes and Field Orders

Mr. Kirkpatrick noted that it was important that activities executed in the field match what is planned on drawings and discussed in the office. Mr. Piersol stated that Mr. Curtin has developed a specific procedure for revising, submitting an approving field changes to land development plans. The procedure suggested is as follows:

1. A Field Change is brought to the attention of a municipal inspector by the contractor or Pulte Homes. If this field change is not a material change, does not warrant new materials or re-engineering and can be approved on-site, the inspector can approve such Field Change. This change will be recorded through inspection reports and ultimately the as-built drawings when submitted by Pulte Homes and is considered to be a "minor" change.
2. If a Field Change requires a discussion and review by the Authority or Township engineer, it then becomes a Field Order. A Field Order will be prepared by the project engineer and submitted on the project engineer's letter. It explains in detail the nature of the change and verifies that it is an immaterial design adjustment and does not require a change in material or equipment. A Field Order may or may not be accompanied by plans or drawings, but it does require approval by the Authority or Township engineer.
3. If a Field Change requires revisions to one or multiple plan sheets or if new or updated designs are created, then a Construction Clarification must be submitted. This is a written agreement executed by Pulte and the contractor performing the specified improvement. The agreement is accompanied by the project engineer's transmittal letter and plans detailing in both a narrative and on revised drawings showing exactly what has been revised. The revised plans will be enumerated with either the same page number it replaces in the plan set or with a new

- numbered set when additional construction drawing sheets are created. A Construction Clarification may warrant review letters and is not approved for construction until the Authority or Township issues a written approval letter and executes the Construction Clarification signature block.
4. Construction Clarification and Field Orders will be numbered separately. They will be numbered consecutively regardless if submitted to the Authority or Township.
 5. A master log tracking all previously submitted Construction Clarifications and Field Orders will be submitted along with each new submission.
 6. Once a written approval has been received for either a Field Order or Construction Clarification, construction of the revised or new improvement may begin.

Mr. Kirkpatrick stated that he wanted to make sure that there were no significant field changes without such changes being approved and adequately communicated and documented. He went on to say that if there was a questions as to whether a change was minor or major, the applicant and Municipal Authority and Township engineers should err on the side of caution.

Sewer Odor Issues

Mrs. Smedley provided an odor log submitted by Michelle Stoudt in the Timbers Development for the Municipal Authority to review. Mr. Piersol stated that residents should complete the odor logs on the forms provided by Aqua Pennsylvania. Mrs. Smedley stated that she had given that information to Mrs. Stoudt. Mr. Piersol noted that even with the odor logs it will be difficult to determine if the odors are the responsibility of Little Washington Wastewater Treatment Plant or of the Municipal Authority.

Guthriesville Pump Station

Mr. VanLew reported an unusual spike at the Hopewell Pump Station during the period of June 20th to June 25th. On investigating this spike, he discovered one of the toilets running in the Municipal Building. He compared the Township's most recent water bill against last month's bill and discovered the difference was the amount of the spike seen at the Pump Station. The water line at the Municipal complex is 1 1/4', which is much larger than a pipe used for residential building.

Delaware County Community College

Flow Spikes at the Delaware County Community College

At last month's meeting, Chairman Corbin noted that the last Discharge Monitoring Report showed a flow spike at the Delaware County Community College. Mr. Boldaz said he will review rainfall totals during the period and report to the Authority at next

month's meeting. Mr. Kirkpatrick will forward a link to the USGS which records rainfall totals at the Brandywine Creek in West Bradford Township.

Pipe Issue

At the July meeting, Mr. VanLew reported that the compressed air lines keep getting clogged with rust. Mr. Bob Baker from Applied Water believes this is due to moisture condensing on the interior of the pipes. This will be an ongoing maintenance issue and the pipe may need to be replaced with stainless steel. Mr. VanLew and Mr. Boldaz will review this issue and determine a "scope of work" for the project.

Brandywine Baptist Church

Mr. Kirkpatrick asked Mr. Piersol if he has had any additional communications with representatives of the Baptist Church regarding sewage capacity. Mr. Piersol has not heard from Church representatives in several months.

Downingtown Area School District

Mr. Piersol said that he recently received a fax from the School District's Solicitor, Guy Donatelli, regarding reservation and availability of sewage capacity. As stated in previous Municipal Authority meetings, the School District will need to request capacity, *in writing*, and will need to pay a reservation fee when capacity is available. It was estimated that the School District will need between 20 and 30 edu's for the Brandywine Wallace Elementary School. Mrs. Moser asked if capacity for the school's wastewater recharge to the ground will be required. The Authority agreed that any plan presented for the School should include areas that can potentially be used for their generated wastewater disposal and groundwater recharge.

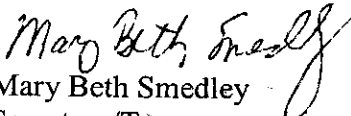
Public Comment on Non-Agenda Items

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

Adjournment

There being no further business, Mrs. Summers moved to adjourn the meeting at 8:45 A.M. Mr. Kirkpatrick seconded the motion, with all voting Aye.

Respectfully submitted,


Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township