

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
Tuesday, February 12, 2008
7:30 A.M.

Those in Attendance:

Michael Corbin, Chairman
David L. Summers

Absent:

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

Also in Attendance:

Scott T. Piersol, Township Manager
Matthew T. VanLew, Roadmaster
Thomas Oeste, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
John Vena, CMX
Justin Scarth, CMX
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, February 12, 2007 at the East Brandywine Township Municipal Building. Mr. Corbin called the meeting to order at 7:35 A.M.

Mr. Corbin announced that due to the sudden illness of one of the members the Municipal Authority did not have a quorum. He said that the Authority would not take formal action of any items before them, but would still discuss the items on the Agenda.

Minutes: December 11, 2007 and January 8, 2008

Approval of the December 11, 2007 and January 8, 2008 minutes has been deferred to the March 11, 2008 meeting.

Treasurer's Report

Approval of the Treasurer's Report was deferred until the March 11, 2008 meeting.

Correspondence

Mr. Corbin stated that the Authority received a letter from Mark Kelly a resident in the Keats Glen subdivision about the rising cost for sewer service. Mr. Kelly's letter stated that there has been a 26% increase in fees over the past 3 years. Mr. Corbin stated that the sewer fees have increased in part because of the relative high cost for operating and maintaining a small treatment plant and the fact that PADEP has recently imposed more

stringent permit limitations. Mr. Corbin will draft a letter to Mr. Kelly acknowledging his concerns and outlining the reasons for the rate increases.

Hydrogen Peroxide Feed – Update

Mr. Corbin asked if there have been observations or meter readings to date that provided information regarding whether or not the peroxide addition was helping to eliminate odors. Mr. VanLew has been providing the data to Mr. Boldaz. To date, there haven't been any significant findings. Mr. Boldaz again stated that the meter readings might not indicate whether the hydrogen peroxide feed is helping until the spring when the weather gets warmer.

Watters Tract

The plan depicts a commercial and residential land development plan located on the north side of Horseshoe Pike adjacent to the Brandywine Village Shopping Center. Development is planned in two phases, with Phase 1 being the development of the commercial tract. The commercial portion is zoned MU – Mixed Use Commercial District, and three free-standing commercial buildings are proposed.

The commercial tract is approximately 10.645 acres in size. A road is proposed which subdivides the commercial tract into two parcels. The development of this road was requested by the Township to facilitate traffic flow between North Guthriesville Road and Horseshoe Pike. The lot areas for the two resulting lots are 7.258 acres and 1.985 acres in size. There is an existing sewage disposal area located at the rear of the commercial tract that will be decommissioned. Public water and public sewer are proposed.

Mr. Ted Kochen from Gambone Development, Ross Unruh, Esq., Mr. Matthew Chartrand from Bohler Engineering and Ms. Tara Bernard from DeVal Soil and Environmental Consultants discussed the Sewerage Facilities Planning Module and the February 11, 2007 CMX review letter on the utility plan review.

Mr. Unruh asked for the Municipal Authority's recommendation that the Watters Tract sewage facilities planning module be passed along to the Planning Commission and Board of Supervisors for their approval and then submitted to PADEP. Mr. Unruh stated that initially sewage would be treated at the package plant that serves the Brandywine Village Shopping Center. The applicant has agreed to decommission the treatment plant and connect to the Applecross Treatment Plant as soon as the Applecross Plant is constructed and ready to accept flows from the Gambone property.

In his February 11, 2008 letter Mr. Boldaz noted that the sanitary sewer design should include the future connection to the Applecross Wastewater Treatment Plant. The future connection route along with pipes, manholes and easements should be provided. In

addition, Mr. Boldaz recommended that the sewage facilities planning module reference the future sewage connection to the Applecross Wastewater Treatment Plant.

Mr. Unruh and Mr. Kochen are concerned that showing future connections to a treatment plant that isn't built may cause delays in the planning module process. Mr. Boldaz stated that known future connections should be shown on the preliminary plan. He suggested that if Gambone wanted to schedule a meeting with PADEP to discuss the Planning Module he would be willing to attend. Mr. Boldaz stated that PADEP is aware that there will be future connections to the Applecross Wastewater Treatment Plant And and this connection should be shown.

Mr. Kochen stated that in the interest of moving forward he would like to simplify the planning module process and would prefer to deal with the Applecross connection when the residential portion of the plant is constructed. Mr. Boldaz reminded Mr. Kochen that this wasn't a new comment on the part of CMX; it was in several previous review letters. He also suggested that the applicant didn't need to provide a complete design, just routing survey information. During final design, the layout and routing might change depending on the actual point of connection to Applecross. Mr. Kochen said he was under the impression that Gambone would have to design the pump station prior to submitting the planning module. Mr. Boldaz said Gambone would initially just have to do a survey and complete a Chapter 94 report. Additional revisions can be made in the future as part of the final design as long as PADEP is aware of the applicant's plans to ultimately connect to the Applecross Wastewater Treatment Plant. It was also discussed that the connection point for their public sewer connection would could be at Brookhaven lane Lane ooff North Guthriesville Road and this could be shown on the Planning Module..

Mr. Unruh said that a meeting with DEP did not appear to be needed and the applicant will revise the planning modules and hopes to attend the March Municipal Authority meeting for a positive recommendation on the planning module.

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 attended the meeting on behalf of the Pulte Homes.

Intermunicipal Agreement

Mr. Boldaz reported that he has placed a call to Pulte's attorney Joseph Riper, Esq. to discuss the Agreement, but had not had a response.

CMX January 29, 2008 letter and January 30, 2008 letter on Construction Clarifications #11 and #12

In order to complete his review, Mr. Boldaz asked for the following information from Horizon Engineering:

1. A hydraulic profile schematic showing each of the ponds pump stations, forcemains, vaults and valves.
2. A simplified plan view of the site showing only the treatment plant structures, road, ponds, forcemains, pump stations, and vaults.
3. A detailed description of how the "system" is proposed to operate under normal conditions and alternate conditions, if applicable.

Mr. Jeremy Madaras from Horizon Engineering provided the information on February 7. Mr. Boldaz stated this information will help understand explain the conveyance route and address and comments..

Addendum to Agreement for Construction and Operation of Community Sewage Facilities Sewer Construction Agreement with Respect to Developer's Operating Deficit Obligations

Mr. Oeste has reviewed the latest draft of the Agreement and will provide his comments to the Authority for their consideration.

Mr. Curtin suggested that the first and second addendum could be separated from the Intermunicipal Agreement. He hopes they can be executed soon. The Authority agreed that the Addendum with respect to the Developer's Operating Deficit could be separated out and hopefully, can be executed by next month. It was noted that the Authority has initiated the customer billing for the occupied homes per the Agreement..

Mr. Oeste recommended that there should be a legal agreement between the Municipal Authority and Pulte leasing the sewer conveyance system, wet wells, etc. He will craft an agreement for the Authority to review.

CMX January 24, 2008 letter - Air Release Vault

Mr. Scarth asked that the following issues be addressed:

1. The proposed floor elevations appear to be incorrect. The high point for the sloped floor is referenced to be higher than the invert of the pipes. The low point elevation should be evaluated as well.
2. With the information submitted, Mr. Scarth stated he cannot support the check valve as proposed. He asked that the applicant provide an explanation as to why the check valve is located in this vault rather than a valve vault at the pump station.
3. If the check valve remains:
 - a. The floor direction should be indicated on the detail.
 - b. The disc should be cast iron with a bronze seat (not Buna N.)
4. Shop drawing should be provided for all materials prior to construction of the vault.

In a letter dated February 4th, Mr. Madaras provided a response to Mr. Scarth's comments. It is Mr. Boldaz's opinion that most of the outstanding issues are close to resolution.

K. Hovnanian

K. Hovnanian is still reviewing the Sewer Connection and Reservation Agreement and Hovnanian's financial obligation with regard to allocating costs.

Hide-A-Way Farms

Sewage Operation and Maintenance Agreement

Mr. Boldaz reported that last month the Authority received a PADEP permit for the Hide-A-Way Farms seepage beds. This Agreement references an Operation and Maintenance Agreement that Mr. Boldaz does not think it has been executed. He has emailed Mr. Riper to see if he has a copy of the Agreement, but hasn't heard from him. If no executed Agreement exists Mr. Oeste and Mr. Boldaz will discuss the wording and previous comments on of the Agreement and provide the Authority with a draft for their review.

Request for Sewer Capacity for the East Brandywine Baptist Church

Mr. Piersol reported that he spoke to Cynthia Haines, a member of the Church, in order for them to provide additional information. To date, the Church hasn't responded.

East Reeceville Road Request for Connection

Mr. Piersol sent a letter to John Winters dated February 8, 2008 in response to an inquiry about making a connection to the new sewer system that is being constructed for the Applecross Subdivision. Mr. Piersol stated that it appears a connection from the Winters property into the new sewerage system would require the installation of a lateral in excess of 200'. In addition, permitting, on-site septic tank decommissioning, easements and the payment of tapping fees currently estimated at \$8,000 per residential connection would be required. Mr. Piersol asked Mr. Winters to notify the East Brandywine Township Municipal Authority if he is still interested in pursuing a connection.

Request for Sewer Capacity for the Downingtown Area School District for the Brandywine Wallace Elementary School

Mr. Oeste reported that although the School District has expressed interested in reserving sewer capacity they were not willing to make a financial contribution at this time. It is the Authority's position that sewer capacity cannot be reserved without a signed Agreement outlining the conditions and costs for the reservation.

Keats Glen Sewer Treatment Plant

Air Supply Pipe

Mr. VanLew reported John Winters from JRW Plumbing and Heating Heating opened the air supply pipe at the sewer plant on January 28th. The interior of the 3-inch diameter pipe showed very little rust on the interior. When Mr. Winters cut the supply line it dropped approximately $\frac{3}{4}$ of an inch due to settling. He placed a chain around the pipe to raise it back to the original position before repairing the cut. Mr. VanLew left the excavation open so it can be inspected periodically over the next few weeks.

It is Mr. VanLew's opinion that there was not proper compaction during installation as evidenced by the Authority's need to replace the chlorine drip line last year. Also, all of the electrical conduits have separated from the outside panels. Mr. VanLew recommends replacing the exterior 3-inch pipe to the union to release some of the pressure due to the settling.

Aeration Piping Scope of Services

CMX has provided a revised scope of services and cost for the Authority's review. It is recommended that the air piping be replaced within the tank and up to and including the fittings that were disturbed for the inspection. It is also recommended that the Authority investigate and address the tank corrosion problem, as appropriate, concurrently with the aeration piping problem. The proposal will consider the replacement of all air piping within the tank and include those fittings disturbed during

the inspection, cleaning and painting of the tank and pumping and hauling of sewage while the plant is down. The bidding documents will be prepared so that potential bidders will be able to bid each project separately (Aeration Piping or the Tank Coating) or each project together. This will allow the Authority some flexibility in their method of award. The total CMX fees were reduced from \$25,400 to \$20,600, mostly due to reduction in the number of inspections. Also, Mr. VanLew's findings will reduce the cost slightly for pipe replacement..

Mr. Boldaz stated that usually treatment plants specs call for PVC or stainless steel to be used. The DCCC treatment plant's specs called for galvanized steel.

Mr. Corbin asked that Mr. Boldaz prepare a simple budget for the entire project that include capital costs, engineering, inspections, the pump and haul and any other out-of-pocket costs.

Mr. Boldaz estimates that the permitting process for the pump and haul permit will take two to three months. Mr. Corbin suggested that Mr. Boldaz begin preparing this paperwork so that the project can be completed by mid-fall.

Mr. Summers asked if it might be most cost-effective to replace the existing tank with a concrete tank. Mr. Boldaz estimates the life-expectancy of the existing tank (with proper coating and maintenance) to be 20 to 30 years. In addition to the cost of replacing the tank there would be additional costs for installation. Although there is a possibility that the tank will need to be replaced, the Authority would prefer not to do that at this time.

Mr. Boldaz asked if earlier chemical imbalances in the plant could have caused the pipe problems. He stated that it was possibly a factor, but would need to look at the tank before making that determination.

Mr. Boldaz asked if the revised budget for this work could be approved via email so the project could get started. Mr. Oeste stated that could be done and the recommendation could simply be ratified at the next meeting. Mr. Corbin will review the Scope of Services and will then provide comments.

CMX February 1, 2008 letter – Keats Glen/DCCC Wastewater Treatment Plant Permit

Mr. Boldaz provided a comparison of the stream discharge limits for the Little Washington Wastewater Treatment Plant permit and the Keats Glen/DCCC Wastewater Treatment Plant permit for the Authority to review.

In November, CMX submitted comments on the Keats Glen draft permit with regard to total residual chlorine and phosphorus. The more stringent total residual chlorine limits that were discussed in the draft permit have been removed. The more stringent limits included in the draft permit for phosphorous will be enforced, however the Authority has been given time to evaluate the treatment process. The permit requires the Authority to

monitor and report phosphorus limits from November to April in years one and two and meet the new year-round limits of 2 mg/l in years three through five. The Authority is also required to monitor and report total nitrogen every two months.

The stream discharge limits for the Little Washington Wastewater Treatment Plant are similar to that of the Keats Glen/DCCC Wastewater Treatment Plant with regard to total suspended solids, fecal coliform and dissolved oxygen limits. The Little Washington Wastewater Treatment Plant has less stringent limits for CBOD₅ and ammonia as nitrogen and more stringent limits for phosphorus and total residual chlorine. The limitations between the two plants are similar in many regards, however the more stringent limitations for the CBOD₅ and ammonia as nitrogen is likely attributed to the size of the Keats Glen/DCCC Wastewater Treatment Plant receiving stream.

Mr. Boldaz stated that there will likely need to be some chemical addition to meet the phosphorous limits in the future at the Keats Glen plant. He suggested that initially we might apply Alum at different points. Hopefully, this will allow us to meet the permit limit requirements.

American Water Proposals – Additional Sampling and Laboratory and NPDES Permit Changes

American Water provided several letters revising the scope of work and fees to perform additional laboratory services. Mr. Summers stated that if fees were increased he would like American Water to communicate this to the Authority prior to the end of the year so that these fees can be considered in the budget. Also, the Authority would like Mr. Boldaz to review American Waters letters in order to make a recommendation on exactly what additional laboratory services need to be done. Mr. Boldaz will contact Mr. Czop to discuss this correspondence.

Resolution 02 of 2008 – Applecross Treatment Plan Sewer Rates

This item has been deferred to the March 11, 2008 meeting

Appointments

Appointment of Mr. Boldaz as the Municipal Authority Engineer and CMX as the Associate Municipal Authority Engineer has been deferred to the March 11, 2008 meeting. The two parties would need to review the draft agreements so they can be finalized..

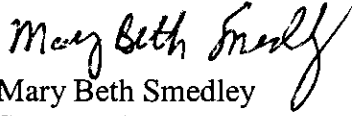
Public Comment on Non-Agenda Items

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

Adjournment

There being no further business, the meeting adjourned at 8:45 P.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township

