

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY**

**Tuesday, June 10, 2008**

**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  
Thomas Oeste, Esq., Municipal Authority Solicitor  
Joseph Boldaz, Municipal Authority Engineer  
Justin Scarth, CMX Engineering  
John Hammell, CMX Engineering  
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, June 10, 2008 at the East Brandywine Township Municipal Building. Mr. Kirkpatrick called the meeting to order at 7:30 A.M.

**Minutes: May 13, 2008**

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

**Connections Update**

Mr. Oeste sent a letter to Mr. Timothy Miller asking him to provide an update as to when he plans to connect to the Guthriesville Sewer System. In his last correspondence, Mr. Miller indicated that he would connect no later than June of 2008. If Mr. Miller does not connect the Authority may take legal action. Mr. Oeste will follow-up on this issue at the July Authority meeting.

**Treasurer's Report**

Mrs. Smedley reviewed the Treasurer's Report and Account Balances as of June 9, 2008. Mrs. Smedley stated that Pulte has been delinquent in paying their sewer fees for the sample homes and asked if the Authority would like Mrs. Bednarchick to apply late charges. The Authority agreed that late charges should be applied. Mrs. Moser made a

motion to approve the Treasurer's Reports and authorize payment of bills. Mr. Anthony seconded the motion, with all voting Aye.

### **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 four phases. The applicant received final plan approval, with conditions, for Phase 1 of the development on November 2, 2006. Plans for Phases II through IV were recently submitted.

Mr. Boldaz reported that CMX reviewed shop drawings for Pump Station G, the Meter Vault and for the Wet Well. Mr. Scarth provided his comments to Ebert Engineering on June 4<sup>th</sup>.

Mr. Boldaz received the shop drawing log for the wastewater treatment plant from Ebert Engineering yesterday; up until that point, the shop drawings and appropriate cross-referencing with design drawings had not been provided to the Authority for review and comment. He hasn't had an opportunity to review the shop drawing log and compare shop drawings and design specifications, but expects to do so sometime this week.

Last month the Municipal Authority asked if the Applecross Planning Module approval included flows from the Village of Guthriesville. Mr. Boldaz stated that it does not. He believes that Pulte was hoping to gain approval for those flows when the Sewage Facilities Planning Module was submitted for the age-restricted community in West Brandywine Township. At this point it wasn't certain to those in attendance when construction will begin for this West Brandywine community. Alternatively, Mr. Boldaz suggested that the plans for Guthriesville flows to be treated at Applecross could be formally submitted to PADEP by completing a Special Study, or updating the Township's Act 537 plan.

Mr. Boldaz stated that in the short-term, Pulte could include the Guthriesville flow in one of the Sewage Facility Planning Module applications. The downside is that this doesn't

allow the Township to evaluate the “big picture” relative to wastewater flows and needs for the entire Township.

On the other hand, Mr. Boldaz noted that if the Township were to update their Act 537 plan due to the township’s rapid development, it was suggested by members of the Authority that the developers themselves, who would benefit from the Act 537 Plan update, could contribute to the cost of an Act 537 Plan update. Mr. Boldaz stated that this option would take the longest to complete.

It was also suggested that Pulte could simply prepare a Sewage Facilities Planning Module that addresses the Guthriesville flows specifically. After some discussion, it was decided that Mr. Boldaz will send an email to John Curtin to suggest this approach. Mr. Boldaz was asked how long an amendment to include the Guthriesville flows will take. He thought it would take about a year. The Agreement for Little Washington Wastewater Treatment Plant to treat the Guthriesville flows ends September 11, 2011. Per the Agreement, Little Washington needs to be notified one year prior to that date whether the Authority wants to extend or end the Agreement.

#### **Nuisance Odors near Little Washington Road**

Mr. Boldaz reported that air samples have been taken over the past month. CMX put together a spread sheet which indicated that the hydrogen sulfide levels are around 3 or 4 parts per million. At the same time last year (prior to adding hydrogen peroxide) the levels were 11 or 12 parts per million. Adding the hydrogen peroxide to the Authority System from Guthriesville was increased to 2 ½ gallons per day, which is the maximum rate the current equipment can handle. Mr. Piersol and Mrs. Smedley have not received any complaints about odors during the past month. Mr. Boldaz also reported that samples were taken from other nearby sources and it appears that the effluent from Guthriesville is slightly more septic.

Mr. Boldaz stated that it does seem that the hydrogen peroxide addition at the Guthriesville pump station is helping at this time. Mr. Boldaz was asked what would happen if the hydrogen peroxide was increased. He stated that it would increase the dissolved oxygen, but probably wouldn’t be harmful. Mr Boldaz will send a memo to the Authority about the sewer odors and study updates later this week.

Mr. Boldaz was asked what will happen to the force main infrastructure once the Guthriesville flows are diverted to the Applecross Wastewater Treatment Plant. He stated that a portion of the infrastructure might be used for the Watters Tract, or it could be abandoned in place. Also, the infrastructure may be used for another use in the future; as such, once abandoned, the main should be “retained” in a state that it could be used for other purposes in the future.

## **Weaver Tract**

The applicant is proposing to build 273 units (184 – 35 foot wide units and 89- 40 foot wide units). The subdivision is on a 140.458 acre lot located at the southeast corner of Bollinger Road and Horseshoe Pike. The lot is being developed under the R-3 Zoning District requirements per a settlement agreement. The Settlement Agreement with the Township was approved on November 2, 2006.

Sewage will be treated offsite in an SBR treatment plant (conceptually agreed to be the Pulte-constructed plant) and the treated effluent will either be disposed of on-site in subsurface disposal systems or off-site where the sewage is treated at the Applecross Wastewater Treatment Plant. Hydraterra Professionals and CMX Engineers are reviewing the sanitary sewer design.

Mr. Oeste reported that the executed Sewer Reservation Agreement and the Irrevocable Letter of Credit should be forwarded to the Authority later this week.

## **Keats Glen/DCCC Treatment Plant**

### Solenoid Replacement

Mr. Piersol reported that Dennis Murtaugh from Applied Water left a message Friday afternoon regarding the air mixer solenoid installed at the Keat's Glen WWTP. This unit has been installed to replace the mixing unit originally installed at the plant which had failed.

Mr. Murtaugh indicated the air mixer solenoid was failing intermittently. In their May 14<sup>th</sup> report, Mr. Piersol noted the comment about this unit not closing due to rust not allowing the unit to close completely.

In their original proposal, Applied Water indicated this installation would have a 2 to 3 year life, and it has been nearly 3 years since it was placed into service. The alternative was an approximately annual replacement cost of over \$1,000 to repair the original equipment.

Mr. Murtaugh indicated the cost of the solenoid to be \$275, with an installation cost of \$100. Mr. Piersol contacted Mr. Boldaz about this, and they agreed this replacement needed to occur to avoid any potential violation at the treatment plant. Mr. Murtaugh assured Mr. Piersol that the unit was still operating and no violation of the PADEP permit has occurred. The new solenoid will be installed later this week.

### Aeration/Recoating Project

Mr. Boldaz provided a bid tally sheet for the Authority to review. The engineers estimate for the project was \$93,000, Derstine Company's bid was \$109,600.00 and Pikeland

Construction's bid was \$57,700.00. Mr. Boldaz and Mr. Oeste have reviewed the bidders' information and are recommending the Authority award the project to Pikeland Construction.

Although there is a considerable difference in the amount of the bids, Mr. Boldaz stated he discussed this with Pikeland Construction, that they are aware of the scope of the project and he is satisfied with the bid. He also stated that Pikeland has completed numerous projects in Chester County, including some in East Brandywine Township and they have a good reputation. The project should take between one and two weeks to complete. Mr. Boldaz stated Pikeland should start by the middle of July.

Mr. Anthony said that he was concerned because of the disparity between the bids. Mr. Boldaz stated that the technical specifications are very tight and he feels confident that Pikeland will complete the job according to those specifications.

The bid bond and other documents submitted by Pikeland are in order, but there are additional documents that still need to be reviewed by Mr. Oeste and Mr. Boldaz.

Once the project begins the treatment plant will be off-line. The influent will be stored in a frac tank and then hauled to another site.

After review of the bid documents and pending final review of the paperwork, Mr. Anthony made a motion to award the contract to Pikeland Construction, Inc., at a maximum cost of \$57,700.00. Mrs. Moser seconded the motion, with all voting Aye.

### **Watters Tract**

Mr. Piersol reported that representatives of the Township are meeting with the Watters family at their request to discuss the property. At last month's Planning Commission meeting Mr. Piersol reported that Gambone Development has terminated their Agreement for the Watters property. Although there is a preliminary plan approval for a land development plan for the commercial portion of the property, there are no planning module approvals. The Authority remains concerned about development of the property in part because the Applecross Wastewater Treatment plant is being sized to accept flows from the Watters Tract. The Authority asked Mr. Piersol to inform the Watters family that when the property is developed the Township and Authority expect the following with regard to sewer connections.

1. The existing treatment plant on the Watters Tract will be abandoned and demolished.
2. The owner/developer of any new project will be required to sign a Sewer Reservation Agreement and connect to the Applecross Wastewater Treatment plan as soon as sewer capacity is available.
3. Any future development will account for the appropriate size and volume of treated wastewater effluent infiltration beds and back-up fields.

### **Act 537 Revision**

Mr. Kirkpatrick stated Mr. Boldaz will schedule a meeting to PADEP to discuss their expectations should the Township and Authority decide to proceed with a revision to the Act 537 plan. Mr. Kirkpatrick, Mr. Piersol and Mr. Boldaz will attend the meeting on behalf of the Township and Authority.

### **Correspondence**

East Brandywine Township received correspondence from East Brunswick Township asking for the Township and Authority's support in legislating how waste can be disposed of in their community. A sample resolution was provided for the Authority's consideration. At the present time the Authority chose not to take a position on this issue.

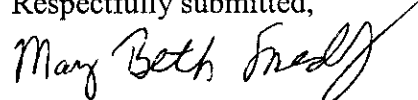
### **Public Comment on Non-Agenda Items**

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

### **Adjournment**

There being no further business, Mr. Summers moved to adjourn the meeting at 8:50 A.M. Mr. Anthony seconded the motion, with all voting Aye.

Respectfully submitted,



Mary Beth Smedley, Secretary/Treasurer