

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
Special Meeting
Wednesday, September 24, 2008
8:00 A.M.

Those in Attendance:

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

Absent:

Michael Corbin, Chairman
David L. Summers, Treasurer

Also in Attendance:

Jay G. Fischer, East Brandywine Township Board of Supervisors
Scott T. Piersol, Township Manager
Stephen Cushman, Vice-Chairman, East Brandywine Township Planning Commission
Thomas Oeste, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Wednesday, September 24, 2008 at the East Brandywine Township Municipal Building. Mr. Kirkpatrick called the meeting to order at 8:00 A.M.

Note: Although advertised as a Joint Meeting between the Board of Supervisors and Municipal Authority, there was not a quorum for the Board of Supervisors.

Public Comment on Non-Agenda Items

Mr. Fischer asked if there were comments on non-agenda items. There were no comments.

Sewage Management Program

Mr. Piersol reported that Matthew Boggs from Yerkes has had difficulty obtaining updated information from the County for the GIS system; the last information in the system is from December of 2007. In order for the Township to implement the Sewage Management program, the County needs to provide the Township with more up-to-date information. Mr. Piersol hopes to have this resolved shortly and expects to send out notices to property owners by the first quarter of 2009 regarding their obligations relative to on-lot sewer system management so that we can track when septic systems are

cleaned. The Sewage Management program requires that septic systems be cleaned and inspected every three years to make sure they are in proper working order.

Applecross Pump and Haul Permit

Recently, there have been two issues with the pump and haul operation at the Applecross Development. The first is a complaint by two residents on Zynn Road. It is the resident's contention that there is a chronic odor problem caused by sewage and diesel fumes from equipment used during the pumping process. Additionally, raw septage was reported to be present at the pumping site. The second issue was an overflow condition on the north section of the Applecross Development that occurred early on the morning of September 22nd.

Odor and Septage Issues

The PADEP-approved Pump and Haul permit for the development indicates that two frac tanks were to be installed to hold effluent at this location. Since additional infrastructure was in place earlier than expected, the applicant's engineer simply bypassed the installation of the frac tanks and decided to store the effluent in the wet well at the pumping station.

After several meetings with Mr. Piersol and Mr. Boldaz, Pulte agreed to install a frac tank in order to alleviate the odor problems. Pulte estimated that the tank would be installed within one to two weeks. Upon reflection, it appears that Pulte had concerns about the costs associated with this installation. Pulte may be considering using a different contractor than was initially chosen. If that occurs, the period of time to resolve this issue may go from weeks to possibly several months.

Overflow

The auto-dialers that indicate provide a notification of an overflow condition that have been installed at Pump Station A and on Bolero Drive, near the proposed wastewater treatment plant, have either malfunctioned or weren't checked in a timely manner. Since PADEP has been involved in trying to find a reasonable solution, there are concerns on the part of the Township and Municipal Authority that violations or fines may result and be assessed to them since they are co-permittees on the permit.

Mr. Piersol reported that Rich Muller from Pulte has committed to resolve these problems quickly. One suggestion for trying to ensure there wasn't a repeat of the over-flow condition at Bolero Drive was to raise the manhole so that there is additional storage available.

The Authority discussed ways to eliminate the above problems in a timely manner. It was suggested that a letter be sent to Pulte to discuss solutions and consequences if these issues aren't resolved quickly. It was agreed by those in attendance that the letter should include the following elements:

1. The Township and Authority could declare the Developer in default of it's wastewater agreement and commitment and withdraw and expend part of the financial security for the purpose of curing the defaults.
2. A requirement that Pulte and/or Aqua Pennsylvania (the pumping contractor for Pulte) provide their pump and haul logs weekly in order to determine whether the pumping frequency is sufficient and determine trends that might cause over-flows in the future.
3. Require the applicant to provide a back-up system or procedure for making sure the auto-dialer is working properly. The procedure or method of checking should be recorded on the pumping and hauling log sheets.
4. Requiring that the applicant adhere to the hours of operation, as outlined in the Township's Zoning Ordinance, for pumping the effluent, unless there is an emergency situation. In the event of an emergency, Pulte and/or Aqua Pennsylvania must contact the proper regulatory agencies and the Township immediately.
5. Inform Pulte that failure to resolve these problems quickly may result in withholding additional building permits, use and occupancy permits and the Township's and Authority's support to renew the Pump and Haul permit until the issues are satisfactorily resolved.

Mr. Oeste and Mr. Boldaz will compose the letter to be sent to the developer with a copy to the appropriate persons at PADEP.

Act 537 Revision

Mr. Boldaz sent the Board of Supervisors and Municipal Authority members a draft proposal for the professional services needed to prepare an Act 537 Sewerage facilities Plan, Special Study. The focus of the Study will be the methods and procedures needed to be used to reroute the sewerage from the Little Washington Wastewater Treatment Facility to the East Brandywine Township Renovation Facility. Mr. Boldaz stated that the Authority and Township should decide what parcels they would like to be included in the Special Study, and which should be excluded.

Mr. Boldaz explained that one important consideration is the future size of Pulte's "Pump Station B," located off of Bondsville Road. He suggested that the pump station should initially be sized to be able to accept flows from areas that the Township and Authority are fairly certain will be developed and publicly sewered. This would prevent having to update the Act 537 Plan and also incurring additional costs for expanding the pump station every time a new development comes on-line.

Mr. Fischer and the Authority suggested that there might be a middle ground; including those areas where expansion of the sewer system is likely, but omit parcels that are either farther away or where a developer will be responsible for upgrades to the sewer system and for revision of the Act 537 plan.

Several issues that should be considered in the Special Study include the need for groundwater recharge areas (*i.e.* effluent discharge beds). This has most recently been an important issue at the Weaver Tract and the Watters tract. Also to be considered is the need for Brandywine Village to decommission the existing package treatment plant and divert their effluent to the Applecross Treatment Plant. Mr. Fischer remarked that a gravity collection main was already installed on Brookhaven Lane at North Guthriesville Road for that purpose.

Mr. Fischer asked how long the Keats Glen treatment plant might be operational. Mr. Boldaz stated that the treatment plant would probably be in good working order for another 10 to 15 years, although there may need to be certain upgrades to manage TMDL requirements proposed by PADEP, most notably for nitrogen and phosphorous.

The draft HydraTerra proposal included optional areas considered as part of the study. These included School Lane, the Locust Knoll Development and the McCausland Tract, Cross Keys and Keats Glen and Gloucester Drive. Of those parcels or neighborhoods, only Keats Glen is currently served by public sewer. The Township was not aware of a high rate of septic system failures in other areas. It was decided that these developments wouldn't be included in the Special Study, but may be considered at a later date.

The Authority suggested that the following areas specifically be considered for the Special Study:

The Village of Guthriesville Master Plan Area, the Watters Tract, the Brandywine Village Shopping Center, Keller Way and the Brandywine Wallace Elementary School.

Mr. Boldaz will update his proposal and send it to Mrs. Smedley for distribution. Mr. Boldaz stated that if the Board of Supervisors wished the Municipal Authority to take the lead on completing the Special Study, a letter should be included with the Task and Activity Report to PADEP to that affect. Mr. Fischer stated that the Township could provide that letter when it is needed.

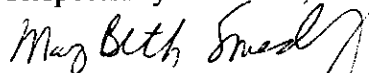
Public Comment on Non-Agenda Items

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

Adjournment

There being no further business, Mrs. Moser moved to adjourn the meeting at 9:30 AM.
Mr. Anthony seconded the motion with all voting Aye.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer
East Brandywine Township