

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY**  
**Tuesday, March 9, 2010**  
**7:30 A.M.**

**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  
Thomas Oeste, Esq., Municipal Authority Solicitor  
Joseph Boldaz, Municipal Authority Engineer  
Chris Brendza, Hydraterra Professionals  
Matthew VanLew, Roadmaster  
Mary Beth Smedley, Secretary/Treasurer  
Four visitors

The Municipal Authority met on Tuesday, March 9, 2010 at the East Brandywine Township Municipal Building. Mr. Kirkpatrick called the meeting to order at 7:30 A.M.

**Minutes: February 9, 2010**

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

**Treasurer's Report**

Mrs. Bednarchik provided a list of customers who remain delinquent for the 4<sup>th</sup> quarter. Municipal claims will be filed if payment is not received by Friday, March 12<sup>th</sup>.

Delinquent notices for the 1<sup>st</sup> quarter will be mailed on March 8, 2010. Municipal claims will be filed if payment is not received by April 7<sup>th</sup>.

Mrs. Bednarchick provided a letter of complaint that she recently received, along with a copy of her response. She suggested that the delinquent customer contact the Authority to try to work out a payment arrangement to become current on her account. To date no such contact had been made.

The three settlements scheduled at Applecross in February were postponed until March. The total number of occupied homes is 97, in addition to 13 model homes and the community and fitness centers.

Mr. Oeste is investigating charging applicants for plan reviews and will make a recommendation shortly.

Mr. Anthony made a motion to approve the Treasurer's report and authorize payment of bills. Mrs. Moser seconded the motion, with all voting Aye.

### **Applecross**

#### Hydraterra February 17, 2010 and March 4, 2010 correspondence – Phase II – IV Revised Drawings (Amendment to Act 537 Plan, Financial Security Agreement and Escrow Estimate)

Mr. Boldaz said that, in his opinion, Pulte has attempted to meet the change in the housing market by offering small single family houses in lieu of some of the previously specified townhouses. The proposed change in product offering will result in less density and a net reduction of sewerage flow to the wastewater treatment plant. However, the design and construction of the sanitary sewer system will be identical. There will be a design reduction of 6,000 gpd on the northern tract. Mr. Boldaz is recommending that the Municipal Authority and Planning Commission support the amendment to the Act 537 plan which includes this change in product type. Letters of concurrence should be forwarded to PADEP by the Planning Commission.

Hydraterra has reviewed the Escrow Estimate for the revised North Tract. The amount of the escrow is \$1,022,257.07, which Mr. Boldaz has reviewed and believes is a good estimate. He is recommending to the Authority that the Financial Security Agreement be approved pending a final review by Mr. Oeste and himself. Mr. Oeste said that this new escrow agreement is essentially the same agreement used for other phases of the development. Originally, Pulte requested that they be allowed to post a bond, but Mr. Oeste informed them the Authority would only accept a letter of credit. Mr. Summers made a motion to approve the Pulte Financial Security Agreement for Phase II-IV subject to final review by Mr. Oeste and Mr. Boldaz. Mrs. Moser seconded the motion, with all voting Aye.

#### Hydraterra February 24, 2010 correspondence – Phase II-IV Sanitary Sewer Submittals

Hydraterra conducted a review of the shop drawings 1.01 R0 through 13.01 RO. These drawings were approved by Mr. Boldaz and discussed with Pulte representatives at a pre-construction meeting.

Hydraterra March 1, 2010 correspondence; Revised Plans and Specifications

Mr. Boldaz reviewed the final specification revisions of the Wastewater Renovation Facility and said that all comments have been addressed to his satisfaction. He asked that five sets of the hardcopy plans and specifications be submitted to the Township for their files.

Mr. Creeger of Pulte was asked when construction might begin. He said that he will release the construction schedule once they receive final approval from Frank Newhams at Yerkes. He hopes to start construction in April, with completion tentatively scheduled for the summer of 2011. Dedication of the facility would occur 30 to 60 days after that.

Equipment List for Third Reactor

Mr. Boldaz and Mr. Ebert have had preliminary discussions about forgoing purchase of some third reactor equipment at this time. Further discussions will take place at the next pre-construction meeting. If installation of some mechanical, electrical, instrumentation and process equipment associated with the third reactor is postponed to a future date, the Authority would like to see some sort of financial security put in place that can be released to Pulte once other developers purchase sewer capacity. Mr. Creeger said that Pulte has had preliminary discussions with Aqua Aerobics about this.

Pump and Haul Permit

PADEP is still reviewing the Pulte request to extend the pump and haul permit. Mr. Boldaz expects a response from them within the next month or so. Additional extensions of the permit will be needed until the Treatment Plant is operational.

**Hillendale**

Hydraterra January 21, 2010 correspondence – Sanitary Sewer Design Review

Mr. Boldaz said that most of the comments relate to utility conflicts in the sanitary sewer design. He asked that specific notes be added to drawings to make sure there is adequate separation for utilities.

The location of proposed Pump Station #2 between residential parcel numbers 165 and 166 does not meet the minimum lot area requirements of 7,500 sq. ft. The pump station area is noted to have increased to approximately 5,100 sq. ft. Mr. Andy Eberwein from E.B. Walsh and Associates said that there will be no problem providing the required area. A sketch of the proposed lot area adjustments was distributed. Mr. Eberwein said the plans will be revised accordingly.

Mr. Boldaz said that although Pump Station #2 is in the middle of the development it is about the size of a ground-mounted transformer and it is mostly below grade. He said

that the pump station should be relatively quiet and will be buffered by a fence and landscaping. Mr. Kirkpatrick asked Mr. Boldaz if he is satisfied with the physical location of the pump station. He said that he is satisfied and thinks that Southdown has done their best to find a suitable location.

Southdown will be submitting revised plans shortly. Mr. Summers made a motion to approve the sanitary sewer design pending a final review by Mr. Boldaz. Mr. Anthony seconded the motion, with all voting Aye.

Hydraterra March 3, 2010 correspondence – Pump Station #1 and #2

Mr. Boldaz said the comments on the pump station design were generally about labeling and electrical issues.

After comparing other manufacturer's pump curve to the previously submitted pump curve by the consultant, Mr. Boldaz finds the chosen pumps by Gayle Corporation to be sufficient, although they do not meet the required efficiency rating of 70%. He said that the high head/low flow system requirements are difficult to address with any pump, but that the proposed pumps will be adequate. Mrs. Moser asked if the equipment might wear out sooner because of the pump efficiency. Mr. Boldaz said he wouldn't expect that to happen, although there may be more electrical consumption. He doesn't see this as area of concern.

Mr. Boldaz still needs to go back and do the electrical review. He said the finalization of the Pump Stations could be done closer to construction. Final land development plan approval should not be dependent upon a final review of the pump stations.

Hydraterra March 3, 2010 correspondence – Wastewater Treatment Plant Drawings

Mr. Boldaz has reviewed the latest drawing and there are still some issues with the electrical plans. He asked if the Municipal Authority felt comfortable with the applicant moving forward without approval of the design. It was suggested that a note be added to the wastewater treatment plan and final land development plan indicating that no building permit shall be issued until the final electrical and mechanical design is approved by the Municipal Authority and the Municipal Authority Engineer. Mr. Oeste and Mr. Boldaz will discuss the exact language to use. Mr. Summers then made a motion to recommend that final plan approval should be contingent upon engineer's approval of the wastewater treatment plant drawings. Part of the engineer's review will include the above note regarding vertical utility separation being added to the plan that is acceptable to Mr. Oeste and Mr. Boldaz. Mr. Kirkpatrick seconded the motion, with all voting Aye.

### **Keats Glen and Guthriesville Sewer District Chapter 94 Annual Report**

The Chapter 94 Annual Reports have been approved by the Municipal Authority. Once they are signed by Mr. Corbin they will be forwarded to PADEP for their review and approval.

### **Keats Glen Comminutor Construction Contract**

Mr. Boldaz has a design of the comminutor for a bid package and has forwarded the specifications to Mr. Oeste for his review prior to bidding the project. Mr. Boldaz requested permission to advertise the public notice. He said that the original cost estimate has remained the same. Mr. Summers made a motion to advertise the specification and bid documents for the comminutor subject to a final review by the Municipal Authority Solicitor and Engineer. Mrs. Moser seconded the motion, with all voting Aye.

### **PADEP February 2010 correspondence – Little Washington Wastewater Annual Groundwater Report**

PADEP reviewed the Annual Groundwater Report for 2009 and noted that their requirements were satisfied for 2009. There were several minor deficiencies, but no substantive comments.

### **2089 Bondsville Road – Temporary Sewer Connection**

The prospective owner of the property contacted the Authority about a temporary sewer connection for the property, but after determining it would be prohibitively expensive they have decided to consider alternative ways to remove the wastewater from the site, possibly using a frac tank.

### **Act 537 Plan**

The Municipal Authority reviewed Act 537 comments from the Chester County Health Department and the Chester County Planning Commission. Mr. Kirkpatrick said that the comments were fairly innocuous. Several of the comments pertained to areas that were outside the scope of the Special Study Area.

The Chester County Health Department commented that assumed flows from the single family residential units are shown at 225 gallons per day (gpd) and townhouses are assumed to use 175 gpd. For public sewage disposal, PADEP traditionally uses 225 gpd only for stream discharge. For land application of sewage per residence, the PADEP minimum is 262.5 gpd. The Health Department asked that the Authority provide figures on how the gpd's were derived.

Mr. Boldaz will address comments from both agencies within the next week. Mr. Kirkpatrick made a motion to recommend the Board of Supervisors advertise the public notice for the Act 537 plan. Mrs. Moser seconded the motion, with all voting Aye.

**Public Comment on Non-Agenda Items**

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

**Adjournment**

Mr. Anthony made a motion to adjourn the meeting at 8:25 A.M. Mr. Summers seconded the motion, with all voting Aye.

**Executive Session**

The Municipal Authority adjourned into Executive Session to discuss legal issues with their Solicitor.

**Reopening of Regular meeting**

At 8:30 the regular meeting reconvened.

**K. Hovnanian Irrevocable Letter of Credit**

Mr. Anthony made a motion to release the K. Hovnanian sewer construction Irrevocable Letter of Credit. Mr. Summers seconded the motion, with all voting Aye.

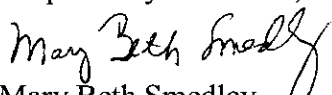
**Adjournment**

Mrs. Moser made a motion to adjourn the meeting at 8:35 A.M. Mr. Kirkpatrick seconded the motion, with all voting Aye.

**Executive Session**

The Municipal Authority adjourned once again into Executive Session to discuss legal issues with their Solicitor.

Respectfully submitted,

  
Mary Beth Smedley,  
Secretary/Treasurer