

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY**  
**Tuesday, November 8, 2005**  
**7:30 AM**

**Those in Attendance:**

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

**Also in Attendance:**

Scott T. Piersol, Township Manager  
John Spangler, Municipal Authority Solicitor  
Joseph Boldaz, Municipal Authority Engineer  
Mary Beth Smedley, Secretary/Treasurer

The Municipal Authority met on Tuesday, November 8, 2005 at the Chester County Campus of the Delaware County Community College. Mr. Corbin called the meeting to order at 7:30 AM.

**Minutes:                   October 11, 2005**

Mr. Corbin asked if there were any corrections or additions to the above minutes. There were none. Mrs. Moser made a motion to approve the October 11, 2005 minutes as presented. Mr. Kirkpatrick seconded the motion, with all voting Aye.

**Treasurer's Report**

Mrs. Smedley read the Treasurer's Report for November 2005. The Municipal Authority account balance as of November 8, 2005 was \$52,095.89. Mr. Summers made a motion to approve the Treasurer's Report and authorize payment of the bills. Mr. Anthony seconded the motion, and the motion was approved by unanimous vote.

**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 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 part of a settlement agreement that concluded in April of 2004. The applicant submitted a subdivision plan for the south side of East Reeceville Road based on the requirements of the R-2 Zoning District and 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.

Ray Grochowski, Jeremy Madaras, Fred Ebert and Theresa Lemley, Esq. attended the meeting on behalf of Pulte Homes. Mr. Grochowski stated that there were several items he wanted to discuss with the Municipal Authority, including the treatment plant design, the sewer agreement, the intermunicipal agreement, Mr. Boldaz's October 10, 2005 review letter, and phasing of the plan.

The Sewage Facilities Planning Module was resubmitted to PADEP on November 1<sup>st</sup>. This revised plan included additional information on soils and hydrogeological testing. A copy was forwarded to Mr. Boldaz for his files. This Sewage Facilities Planning Module is for a 300,000 gpd treatment plant. Whether or not the plant is expanded, Mr. Grochowski would like this planning module to stand alone for PADEP consideration. Another planning module can be submitted if there is an expansion of the plant to include other flows from various sources.

The Draft Part II permit for the sewage plant and process was resubmitted to Mr. Boldaz last week. Mr. Boldaz hasn't reviewed it yet, but stated that he is satisfied with the plant conceptually. However, there are some housekeeping items that need to be resolved before the applicant can move ahead with the Part II Permit. At last month's meeting, the Municipal Authority authorized Mr. Boldaz to sign off on the Part II Permit once he and Mr. Corbin are satisfied that all outstanding items in his review letter have been resolved.

Mr. Ebert stated that the only outstanding issue he had relative to Mr. Boldaz's comments was with the concept of chlorination prior to spraying. Mr. Ebert noted that he isn't sure that PADEP will allow this since they will not allow chlorine-treated water to be sprayed on as part of a land-based discharge. In addition, Mr. Ebert suggested that the Permit not be specific as to where sampling will be done. It is Mr. Ebert's opinion that the treatment plant operator should make that decision. The Authority agreed that such operational details should be kept out of the permit to the extent possible so such operations don't get locked in by permit on the basis of PADEP's permit approval. Mr. Ebert would like to schedule a meeting to discuss the Act 537 plan with PADEP and hand PADEP the Part II permit at the same time. He will inform the Township and Municipal Authority as to when that meeting might be held so that a representative can be in attendance. The backup area for the drip field is also scheduled further testing

Mr. Spangler should have a draft of the sewer operations agreement for the Municipal Authority to review within the next several days.

Mr. Grochowski feels optimistic that an intermunicipal agreement between East Brandywine Township and West Brandywine Township will be able to move forward. West Brandywine Township Manager, Ron Rambo, Jr. agrees in concept to the plan as long as there is the ability to buy additional bulk sewer capacity. This still needs to be discussed with the West Brandywine Township Board of Supervisors. Signatories on the agreement would be the East Brandywine

Township Board of Supervisors and Municipal Authority and the West Brandywine Township Board of Supervisors and Municipal Authority.

Mr. Grochowski provided a copy of a draft intermunicipal sewer service agreement for the Municipal Authority to review. He cautioned that there are several provisions in the agreement that are not accurate and that will need to be changed. These changes include:

1. Mr. Grochowski stated that a fee would be required of West Brandywine Township in order for them to reserve capacity based on EDU's at the treatment plant.
2. An easement will need to be granted that allows the East Brandywine Township Municipal Authority to operate and maintain drip fields in West Brandywine Township. Mr. Boldaz will be reviewing the field testing of the drip area.
3. Individual meters for both East and West Brandywine Township will be installed.

The Sewage Facilities Planning Module submitted to West Brandywine Township for Pulte's proposed Active Adult Community will need to be resubmitted to reflect the changes if the sewage is treated in East Brandywine Township. The module would also need the results of the soil testing in the drip irrigation field. The East Brandywine Township Act 537 Plan will also need to be revised to provide PADEP an accurate description of what areas will be served and what the projected flows will be. Mr. Grochowski has a good idea of the flows for the Pulte and K. Hovnanian development, but still needs information on the capacity desired by East Brandywine. Mr. Grochowski asked for this information from East Brandywine no later than mid-December. He provided an exhibit showing areas proposed to be served by the treatment plant (Pulte's Applecross Development, the K. Hovnanian Development, and area to be designated by East Brandywine Township, and Pulte's Active Adult Community in West Brandywine Township). It was pointed out that Friendship Village in West Brandywine Township was also shown on the plan; possibly because it is an area already served by another sewer system, and is already included in West Brandywine's Act 537 plan. Friendship Village will not be served by the new proposed treatment plant.

Mr. Grochowski noted that with the developments already planned to be connected to the sewer system, there is very little extra capacity. Mr. Grochowski noted that he doesn't have a problem with building a larger plant, but he wants to make sure there is sufficient flow to do so.

Mr. Grochowski suggested that Phase I plant construction be the proposed 300,000 gpd plant and additional phases, if any, be built in 100,000 gpd increments. Mr. Ebert stated that there wouldn't necessarily need to be an additional 100,000 gpd in order to build the next phase since each reactor could operate with different flows, i.e. each reactor could operate with 80,000 gpd. Mr. Ebert did note that at least 20,000 gpd per day would be needed for each. Mr. Corbin commented that this would increase maintenance and capital costs on a per gallon basis.

Mr. Boldaz is recommending that if the areas in East Brandywine connect to the new sewer treatment plant it would not be feasible to connect the existing pump station on Bondsville Road to the new system (at 15 feet it is too shallow). A new regional pump station will be constructed on the Applecross Development. This should be described in the revision to the Act 537 plan.

Mr. Ebert will be resubmitting plans for the sewer system and collection conveyance system shortly. He will meet with Mr. Boldaz prior to the plan resubmission. Mr. Boldaz stated he would be meeting with Mr. Madaras to discuss some deep sewer issues.

Mr. Ebert agreed with most of the comments made by Mr. Boldaz in his October 10, 2005 review of the wastewater treatment plan and the comments provided by George Christine from George Wastewater Treatment Services, but did state that he didn't want to store alum on the site for any length of time. He would rather bring it in as needed. Under this scenario, there will be a chemical tank on site for use when it is needed; this will slightly increase the size of the building, but would better manage the long-term storage of alum on-site. He asked that if the Authority was thinking of additional flows for the treatment plant they should provide him with that information so that the pump station, force main and wet well could be sized correctly in the design.

At last month's meeting, the Municipal Authority requested Mr. Grochowski show a plan that relocates the home closest to the sewage treatment plant, and also shows how far the seven homes will be from the treatment plant if it is built for 300,000 gpd or if it is expanded to treat 500,000 gpd (there is room to expand the plant to 600,000 gpd at some point). The new plan shows only one home within 250 feet of the treatment plant. The building envelope of the lots will be deed restricted so that the proposed homes can't be built closer than what is shown on the plan.

Mr. Michael Macaninch, attorney for K. Hovnanian stated that they anticipated submitting their Sewage Facilities Planning Module within the next week. He will contact Mr. Boldaz about the submission. He anticipates beginning construction in April of 2007. The expected sale pace is three homes a month, with some additional flows from the Weaver property and the recreation center. The Municipal Authority will need to look at the ultimate capacity and build-out sequence for the plant. Some additional financial support might be needed prior to build-out. Mr. Macaninch stated that K. Hovnanian is committed to making sure there is adequate capacity available to them. They are willing to discuss a reservation fee or other form financial security with the Township and Municipal Authority. K. Hovnanian is still working with the Township to finalize the settlement stipulation agreement, which will essentially be the equivalent of preliminary plan approval.

### **Hopewell Pump Station**

At last month's Municipal Authority meeting, Mr. VanLew reported that during heavy rainfall in the second week of October the flow at the Hopewell Pump Station increased dramatically. The average flow per day during August and September was 21,519 gallons per day. During the weekend of October 10<sup>th</sup> and 11<sup>th</sup> the reading was 30,070 gallons per day. The flows also increased on October 23<sup>rd</sup>, when there was another significant rainfall. Several suggestions were made including performing a smoke test or opening the manholes during a heavy rainfall to determine the cause of the problem. A test could also be done at night, between midnight and 2:00 A.M. to see if there are extra flows coming from a certain area since it's not a normal time for residents to use a lot of water. Mr. Piersol stated that Mike Honan from Rouse/Chamberlin came up with a check list for Yerkes to use when they inspect sewer lines. Mr. VanLew stated he believes it is a surface water problem. The Municipal Authority agreed that was the likely

problem. Mr. Honan mentioned that it might be caused by new connections in the Village of Guthriesville, but Mr. Boldaz stated it doesn't appear to be related. Mr. VanLew will discuss this issue with Russell Yerkes to try and pinpoint the problem. The Municipal Authority stated they would like to see this resolved prior to accepting dedication of the next phase in the sewer system. Hopefully, there will be additional information on this issue prior to the next Municipal Authority meeting.

### **Hillendale Property – Soil Testing Treatment Alternative Summary**

According to Mr. Boldaz, there is a difference of opinion between PADEP and Evans Mill Environmental regarding soils testing. Mr. Boldaz has no additional information, but will keep the Authority up-to-date as new information is provided.

### **Dilworth Property – Soil, Percolation, and Permeability Testing**

At last month's meeting, Mr. Boldaz stated that although the initial soil testing at the development resulted in generally suitable soils, the areas that are proposed for community sewage disposal are not ideal. They are small isolated moderately to steeply sloping areas of the site parallel to the grade. The slow percolation rates indicated that the soils are not very permeable. The consultant is testing a replacement area for community sewage disposal; however, the use of this area could result in the loss of several lots. The Municipal Authority asked Mrs. Smedley to contact the applicant so that a map could be provided showing where the tests were done. Mr. Corbin wondered if individual on-lot septic systems could be used for certain homes and pointed out that the private open space area would also be available. She stated that Mr. Penders and Mr. Gallo from Rouse/Chamberlin would attend the next Municipal Authority meeting to provide an update on their project.

### **2006 Budget**

Mr. Summers, Mr. Piersol and Mrs. Smedley met on October 10<sup>th</sup> to discuss the 2006 Municipal Authority budget. Mr. Summers provided a preliminary budget for the Authority to review. He expects expenses to increase by approximately 5%, some of this related to increasing fuel costs. Mr. Piersol will review the figures and meet with Mr. Summers so that a final budget can be provided prior to the next Municipal Authority meeting.

It was suggested that a capital reserve be started for the Guthriesville Sewer System. This will likely be an item for the 2007 budget since the developer will pay for capital costs through 2006. Sewer rate for the Keats Glen Development are currently projected to increase from \$119/quarter to \$135/quarter. Mr. Corbin will prepare a letter to be sent to those residents outlining the 2006 rates. Mrs. Smedley will prepare a Resolution regarding the rate increase for consideration at the December Municipal Authority meeting.

**Executive Session – The Municipal Authority did not meet in Executive Session, as shown on the November 8, 2005 Municipal Authority Agenda.**

East Brandywine Township Municipal Authority

November 8, 2005

Page 6

### **Executive Session**

The Municipal Authority asked Mrs. Smedley to schedule an Executive Session of the Municipal Authority, their Solicitor and Engineer, the Board of Supervisors and their Solicitor to discuss the 2006 Municipal Authority operating budget, the Hide-A-Way Farms disposal beds, sewage treatment for the East Brandywine Township, the Pulte Sewer System and the K. Hovnanian reservation fees.

### **Adjournment**

There being no further business, Mr. Summers moved to adjourn the meeting at 8:45 A.M. Mr. Anthony seconded the motion, and the motion was approved by unanimous vote.

Respectfully submitted,

Mary Beth Smedley  
Secretary/Treasurer  
East Brandywine Township