

EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
Tuesday, October 11, 2005
7:30 AM

Those in Attendance:

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

Absent:

Michael Corbin, Chairman
Gerald Kirkpatrick, Vice-Chairman

The Municipal Authority met on Tuesday, October 11, 2005 in the East Brandywine Fire Company Hall. Mr. Summers, acting as temporary Chairman called the meeting to order at 7:30 AM.

Notice: **The November 8, 2005 Municipal Authority Meeting will be held at the Chester County Campus of the Delaware County Community College – Room 237.**

Minutes: **September 13, 2005**

Mr. Summers asked if there were any corrections or additions to the above minutes. There were none. Mr. Anthony made a motion to approve the September 13, 2005 minutes as presented. Mrs. Moser seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley read the Treasurer's Report for October 2005. The Municipal Authority account balance as of October 11, 2005 was \$34,033.39. Mrs. Moser 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.

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, Tony Sabatini, Fred Ebert and Theresa Lemley, Esq. attended the meeting on behalf of Pulte Homes. Mr. Boldaz provided a treatment plant design review letter dated October 10, 2005. Since the applicant just received the letter, they will respond to it later. Mr. Boldaz 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. Mr. Boldaz will meet with the design engineer to review the outstanding items. Mr. Grochowski hopes the revisions can be complete prior to the next Authority meeting. He asked if the Authority would authorize Mr. Boldaz to sign off on the Part II Permit once he is satisfied that all outstanding items in his review letter have been resolved. The Municipal Authority authorized Mr. Boldaz to do this, but stated he should contact Mr. Corbin and review the information before he does so. Mr. Grochowski asked when Mr. Boldaz would like to see the module for the Part II permit. Mr. Boldaz stated he would like to see the modules as soon as possible.

At last month's meeting, the Municipal Authority discussed their concerns that seven (7) of the proposed homes are too close to the treatment plant due to potential odor and noise issues. PADEP recommends that a treatment plant be at least 250 feet from occupied dwellings or recreation areas. At the Municipal Authority request Mr. Grochowski showed 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. The new plan shows only one home within 250 feet of the treatment plant. According to Mr. Grochowski, the sewage treatment plant will be constructed prior to the seven (7) closest homes being built. Mr. Summers thanked Mr. Grochowski for moving the homes away from the treatment plant, but stated that ideally some of the homes could still be moved farther away from the treatment plant to ensure residents are not bothered by noises or odors. Mr. Grochowski will look at the plant to see if this is possible, but made no commitment to do so.

Mr. Grochowski said that they need to come up with the name for the proposed sewage treatment plant and asked that the Municipal Authority get back to him with some suggestions.

There have been discussions with Ron Rambo, Township Manager at West Brandywine Township regarding an intermunicipal agreement to treat sewage from a proposed active adult community located in West Brandywine Township, as well as disposing some of the effluent from areas in East Brandywine Township. Mr. Rambo stated that West Brandywine

Township might consider purchasing bulk sewer treatment capacity at the Township line. This would eliminate the need to comply with PUC regulations. West Brandywine Township would install a meter at the Township line and bill residents in their township; East Brandywine Township could also install a meter. Mr. Rambo would like right of first refusal to treat additional effluent equivalent to the capacity remaining after whatever the effluent for Pultes' age restricted community and the capacity allocated to East Brandywine Township is treated and disposed (28,550 gpd****). This plan would require a revised Planning Module be submitted to PADEP, or possibly a special study.

Although West Brandywine Township says they have reserved capacity at a treatment plant in Coatesville, it appears that the capacity is not available. With both Pulte Homes and Bentley Homes proposing development in West Brandywine Township it is likely that PADEP will encourage or mandate the Townships to work cooperatively, rather than having several small treatment plants in close proximity to each other.

Mr. Grochowski provided the following breakdown of planned sewer capacity for the treatment plant.

Service Area	Current Allocation (gpd)*	Proposed Allocation (gpd)**	Future Allocation (gpd)***
Overlook Road Farm East (Golf Course Community)	137,680	137,680	137,680
Excess Capacity Allocated for East Brandywine Township	114,020	42,307	94,070 (Less 28,550 gpd****) Drip in West Brandywine Township
Additional Capacity Allocated to East Brandywine Township	0	60,250	60,250 Drip in West Brandywine Township
Weaver Tract (East Brandywine Township)	48,300	0	48,300
Overlook Road Farm West (West Brandywine Township)	0	59,700	59,700 Drip in West Brandywine Township
Total	300,000	300,000	400,000

*As proposed in Planning Module

**Subject to submitted Planning Module and a Revised Planning Module to be submitted by East Brandywine Township

***Subject of a future Planning Module to be submitted by East Brandywine Township

****West Brandywine has right of first refusal on this portion of the allocation

Sewer Operations Agreement – Mr. Spangler reported that he met with Township Solicitor Stacey Fuller and attorney Lou Colagreco who is representing Pulte Homes to try and resolve several outstanding issues related to the sewer agreements. These issues include:

1. When the sewer plant will be dedicated to the Municipal Authority - The Municipal Authority would like to see the plant operating for a certain length of time before accepting dedication. Mr. Colagreco wants the plant turned over once it is completed. Mr. Spangler said they are working on a compromise where a bond would stay in effect for 18 months after the plant is operating. Mr. Summers asked how the starting date for this bond will be determined. Mr. Spangler stated they are using when the plant begins treating 100,000 gpd a day as the starting date.
2. The Municipal Authority's preference is that Pulte and K. Hovnanian work together on an agreement for the Pulte sewer plant to treat effluent from the K. Hovnanian project. Mr. Colagreco feels that Pulte is much farther along than K. Hovnanian and the Municipal Authority should deal with them directly since the Authority will ultimately own the sewer treatment plant. The Municipal Authority is concerned that they may end up with excess capacity in the plant. Mr. Colagreco doesn't think this should be a problem; rather Pulte is more concerned with having enough influent to start-up the plant. There will be costs associated with the plant that will be attributed to K. Hovnanian. Mr. Spangler suggested that they begin discussions with Pulte. Mr. Macaninch stated that K. Hovnanian has no objection to paying for their pro-rata share of the treatment plant. They plan to submit a sewage facilities planning module in the next several months.
3. Questions have been raised about how much treated sewage can be disposed of on the golf course. Mr. Grochowski doesn't know exactly how much, but did say they would need a lot of water during the grow-in period. There are permit limits as to what can be disposed on a golf course.

Mr. Colagreco should have a draft of the sewer agreement to review shortly.

Mr. Grochowski stated that a flow of approximately 30,000 gpd would be needed for the treatment plant to begin operation; until then they will have to pump and haul the sewage.

Hide-A-Way Farms

As requested by the Municipal Authority, Mr. Boldaz provided an ownership of disposal beds comparison for review. This comparison outlines the advantages and disadvantages of the Municipal Authority owning the disposal beds vs. Little Washington Wastewater Treatment Plant owning them. This item will be discussed in an Executive Session planned for November 8th, directly following the regular Municipal Authority meeting.

Mr. Boldaz stated that Yerkes will be doing the sewer line inspection at the Hide-A-Way Farms subdivisions. Mr. Boldaz will be reviewing the shop drawings as well as information related to the pump station and disposal beds.

Guthriesville Sewer District

Treatment and disposal of sewage for the Guthriesville Sewer District will be discussed in an Executive Session scheduled for November 8th, following the regular Municipal Authority meeting.

2006 Budget

Mr. Summers, Mr. Piersol and Mrs. Smedley met on October 10th to discuss the 2006 Municipal Authority budget. Mr. Summers stated he should have a preliminary budget for review by the next meeting. He stated that an initial review of the budget indicated that there may need to be a substantial increase in rates for the Keats Glen subdivision.

Dilworth Property – Soil, Percolation, and Permeability Testing

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.

Hillendale Property – Soil Testing Treatment Alternative Summary

Initially, the developer indicated that Evans Mill Environmental was preparing plans showing a Pure-Stream Wastewater Treatment Plant. During discussions with the developer, Mr. Boldaz indicated that the Authority has been in favor of using an Aqua-Aerobics SBR. Mr. Boldaz indicated that the developer would likely be required to submit an evaluation of at least three different treatment plant processes based on site specific information. Evans Mill Environmental has indicated that they are moving forward with the three process evaluation.

Hopewell Pump Station

Mr. VanLew reported that during the rainfall this past week, the flow at the Hopewell Pump Station increased dramatically. The average flow per day during August and September was 21,519 gallons per day. This past weekend the reading was 30,070 gallons per day. Mr. VanLew asked that the Municipal Authority review this information and discuss a corrective action. It was suggested that all manholes be opened and cleanout caps be inspected during the next rainfall. Mr. Boldaz stated that this situation is not attributable to the recent connections to the Guthriesville Sewer System.

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Adjournment

There being no further business, Mr. Anthony moved to adjourn the meeting at 9:20 A.M. Mrs. Moser seconded the motion, and the motion was approved by unanimous vote.

Respectfully submitted,

Mary Beth Smedley

Secretary/Treasurer

East Brandywine Township