

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
MARCH 10, 2020**

Members in Attendance:

Michael Corbin, Chairman
David Summers, Vice Chairman
Sandra Moser, Treasurer
David Whelihan, Member

Absent:

Thomas McClung, Member

Also in Attendance:

Scott Piersol, Township Manager
Matthew VanLew, Township Road Master
Thomas Oeste, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
Jan C. Bednarchik, Recording Secretary

The Municipal Authority meeting of Tuesday, March 10, 2020, was called to order at 8:04 AM in the East Brandywine Township Municipal Building by the Chairman. Visitors included John Dean of EEMA, Fred Ebert of Ebert Engineering, Sam Dever of Hydraterra Professionals, Sebastian Ferrer of NVR, Inc., and Mike Tulio of Metropolitan Development Group.

Minutes

Mr. Summers moved to approve the minutes of the regular session on February 11, 2020, and the minutes of the work session on February 28, 2020, as written. Mr. Corbin seconded the motion, which carried unanimously.

Treasurer's Report

Mrs. Bednarchik read the Treasurer's Report and provided a list of twenty-four invoices for the month of March totaling \$99,853.28 for payment from the Operating Account. Mr. Summers moved to approve the bills for payment as presented. Mr. Corbin seconded the motion, which carried unanimously.

Delinquent notices for nonpayment of user fees for the first quarter of 2020 were mailed on 2/07/20 to twenty-eight customers. Municipal claims will be filed if payment is not received by 4/06/20.

The Estates at Dowlin Forge (a.k.a. Hillendale)

Fred Ebert attended the meeting to provide an update on the treatment plant construction and schedule. He noted that the wrong transformer for the electric service was delivered to the site, which has slowed progress and delayed the testing for startup. Consequently, a scheduled site visit

with Aqua Aerobics to test the equipment had to be postponed. Delivery of the correct transformer is expected by the middle of next week. A detailed schedule will be provided once the plant is fully energized. Mr. Ebert will provide a memo detailing the site visit held on 2/13/20 to tour the facilities and discuss issues related to startup of the treatment plant. He mentioned that the drip control panel is onsite but cannot be installed without the manufacturer present to verify the wiring is connected properly or they risk voiding the warranty.

Mr. Ebert relayed the developer's proposal to address the issue of the turning radius and retaining wall at the northeast corner of the treatment plant site. Mr. Tulio has requested that the Authority provide him with a fully engineered plan showing how far the access way to the rear of the plant needs to be expanded and graded so it is done to the Authority's specifications to negate any further issues or dispute. He will secure pricing of the access improvements and offer a credit for the retaining walls that will not be installed. Mr. Ebert also spoke about some conflicting details regarding the paving material type and thickness for the pump station access and acknowledged that a paving thickness of only 2-inches would be insufficient. Mr. Tulio has agreed to install the full paving thickness to consist of a minimum of 6-inches of Compacted PennDOT 2A Aggregate, 4-inches of Bituminous Concrete Base Course and 2-inches of ID-2 Wearing Course, but is doing so under protest. Mr. Ebert said he will continue to work with Mr. Piersol as well as the Authority Engineer and Solicitor on these issues but wanted the Board to know the position of the developer at this time. Mr. Boldaz inquired whether there were any boulders on-site to stabilize the expanded grading and whether the property corners have been staked out. Mr. Ebert replied that all boulders encountered during excavation were buried and recommended the use of large gabions for stabilization and erosion control. He offered to share the CAD file on the project and will meet with his client to determine what other information is currently available.

The fourth and final letter of credit in the amount of \$73,500 was received from Metropolitan Development Group on 3/06/20 in accordance with the Pump and Haul Agreement.

Mr. Ebert acknowledged the deficit of dripper tubing in Drip Area #2 and recommended that Dan Hudson, the design engineer, and Mr. Boldaz coordinate with DEP for approval to increase the loading rate to make up for the deficit of drip disposal capacity. Mr. Corbin inquired about the Authority's request for an easement on Drip Test Areas 5 and 6 for potential future installation of drip disposal facilities. Mr. Ebert replied that the Homeowners Association (HOA) Executive Board received Mr. Oeste's letter of 2/20/20, which will be presented at an upcoming meeting of the full HOA. Metropolitan Development Group will offer a supportive vote but does not have the ability to offer the land outright. The respective attorneys need to work with the HOA to obtain that land. Mr. Oeste said he spoke with Gia Raffaelli yesterday, and she indicated that the matter has not officially been brought before the Executive Board yet but it is in process.

The Water Quality Management permit approved by DEP requires background groundwater monitoring to begin six months prior to startup of the treatment plant. Mr. Ebert stated that groundwater monitoring has been conducted for over a year now. He also noted that as-builts for the drip fields have been scheduled, the contractor is working on flushing and re-televising all the sanitary sewer lines and paving all the pump stations.

Mr. Boldaz is working on the user fee calculation and will meet with Mrs. Bednarchik at the conclusion of this meeting to obtain additional data.

Weaver Tract

A tapping fee calculation is being prepared to define the annual adjustments in accordance with the Tapping Fee Resolution No. 2 of 2018. Mr. Oeste noted that the payment of tapping fees is governed by the Municipality Authorities Act and is typically payable at time of building permit issuance.

Mr. Ebert advised that he is in the process of revising the Sewage Facilities Planning Module (SFPM) to incorporate the revised Component 3J Capacity Certification and changes suggested by Hydraterra and DEP. Per the recommendation of John Venezia at DEP, the revised SFPM with the updated Capacity Certification has been sent back to the Chester County Planning Commission and County Health Department and the Township Planning Commission for additional review and comment. Once those comments are received, Mr. Ebert will proceed with the public notice requirement and seek approval of a resolution amending the Township's Act 537 Plan from the Board of Supervisors.

Keats Glen

John Dean reported that the plant is operating well, and all permit parameters were met in February. He explained that one individual sample for the month exceeded the instantaneous maximum for Total Suspended Solids and Fecal due to a clogged return sludge line. The problem was corrected, and DEP was notified of the anomaly. The comminutor was also cleaned to remove wipes/rags and inspected.

Contact was made with the Director of Maintenance for the Community College to discuss the type of cleaning products being used and the cleaning frequency at the school. Mr. Dean said the cleaning protocol raised no concerns that could potentially harm the treatment plant. The emergency contact welcomed notification of any problems that may occur in the future so he can verify what is happening at the school at that time.

Applecross

Mr. Dean reported that the treatment plant is operating well, and all permit parameters were met in February. The replacement effluent control panel was installed and restored the ability to discharge to the lagoons. Mr. Dean and Mr. Dever have identified programming changes to be implemented by the manufacturer to get close to the limit for each disposal field without exceeding the maximum 22,000 gallons per day and overdosing any individual zones. The costs incurred by EEMA to install the effluent control panel were listed separately on their monthly invoice. The charges will be billed to Eastern Environmental Corporation for reimbursement to the Authority.

Representatives of DEP met at the treatment plant on 3/05/20 to observe the new effluent control panel and drip fields, and a meeting memo was prepared by Hydraterra. Mr. Dean led a tour of

the treatment plant and explained the treatment process and drip control panel. John Veneziaie asked if the Authority had any objection to him contacting the golf course operator so he can better understand the ability to spray irrigate on the golf course side. Mr. Boldaz mentioned that DEP is planning to release a guidance document for large drip systems and asked Hydraterra and the operator to review and comment on the draft document.

Effluent disposal was changed to stream discharge last Friday at the request of the golf course operator. EEMA anticipates continuing with stream discharge for about one month to lower the lagoon levels. Mrs. Moser opined that the golf course should be charged for the chemicals and additional sludge removal costs associated with the stream discharge.

Mr. Dean mentioned that EEMA has postponed the purchase of the replacement submersible pump approved at last month's meeting. Rick Weller, EEMA's maintenance director, recommended taking the old pump to Reading Electric for evaluation to determine whether it is repairable with a new motor and casing before proceeding with the purchase of the new Flygt pump. The pump was taken to Reading Electric on 2/12/20 and there is no cost for the evaluation.

Mr. Corbin inquired whether the communication issue between the treatment plant building and the drip fields was resolved. Mr. Boldaz said a recommendation was made to decrease the frequency of the signal between the two facilities. Mr. Dever said the line of sight issue resolved itself when the leaves fell off the trees. Hydraterra will monitor the situation and take corrective action, as needed.

Mr. Boldaz and Sam Dever, Scott Piersol, Matt VanLew, and John Dean met with representatives of the Applecross Golf Course, including Bob Levy, Doug Rae, and Travis Bates from Talamore Country Club on 2/28/20 to discuss the lagoon storage and capacity and spray irrigation practices. The original Construction Agreement between Pulte Homes and the Authority, which requires the golf course to accept 137,680 gallons per day of treated effluent from the treatment plant, was distributed and discussed. Mr. Levy indicated that this was not an agreement he had with Pulte but rather an agreement that he inherited from Pulte. Mr. Levy spoke about the difficulty in disposing of that amount of water, even in a drought year, and inquired about the volume coming from the Applecross development itself versus elsewhere. Doug Rae, the golf course operator, indicated that a player had filed a Right To Know request on the irrigation requirements due to concerns about the course being extremely wet. The Authority's expectation to be able to discharge the full agreed upon amount to the golf course was discussed. Mr. Levy inquired whether the Township had any adjacent areas where an irrigation line could be extended. No areas were immediately identified. Mr. Rae indicated the irrigation system has flexibility and suggested there might be some areas where he could increase the flow rate to certain spray heads without impacting play. The discussion was summarized in a meeting memo prepared by Hydraterra, and a follow-up meeting will be scheduled in May.

Mr. Summers expressed his concern about chemicals ultimately ending up in the stream by forcing the golf course operator to spray irrigate more water than he can properly manage. He suggested a balance of discharge to the lagoons at a flow rate manageable for the golf course with the balance treated to remove phosphorous and discharged to the stream. Mrs. Moser reiterated her concerns

about stream discharge, particularly with trout being introduced in the creek at Bondsville Mill. Mr. Dean said he believes the quality of the effluent after treatment for phosphorous would meet the requirements for a high-quality stream designation. Mr. Boldaz stated that it is safer to go to stream discharge than to oversaturate the golf course and have fertilizers go directly into the stream. He suggested that stream discharge continue until the lagoon levels are lowered, rather than alternating throughout the year, and utilize the 22,000 gallons per day of drip disposal on the Applecross drip fields. He also mentioned that the drip system at Mapleview will need to be expedited.

Mr. Corbin reviewed the Annual Chapter 94 Report for Applecross and provided comments to Hydraterra. The Report is due to DEP by 3/31/20.

Hide-A-Way Farms

There has been no further contact from Southdown Homes since the site meeting held on 2/14/20 to discuss punch list issues with Hydraterra and building code issues with the Township's Building Code Official from ARRO Group.

Mr. Summers moved to approve Resolution No. 1 of 2020, a resolution establishing a quarterly sewer user fee of \$270 per dwelling unit with payment to commence upon conveyance and dedication of the sanitary sewer facilities to the Municipal Authority. Mr. Corbin seconded the motion, which carried unanimously.

Old Business

The draft "*Private Lateral Inflow and Infiltration Elimination Program*" document distributed at the last meeting was discussed. Mr. Corbin suggested having an inspection and enforcement action coincide with property transfers and upon observation of a broken vent pipe or cleanout, missing mushroom cap, etc. This action could also be implemented at the time of refinance. Interior inspections for sump pump connections would be done at the time of property transfer/refinance only with all other inspections occurring outside the home. Mr. Oeste advised that a resolution requiring inspections at the time of property transfer or suspicion of a problem could be adopted by the Authority, but Township personnel would be needed for enforcement. The inspection would involve observation of any changes to the vent stack or cleanout, any illegal connections of area drains or downspouts, and the grading around the lateral. Mrs. Bednarchik indicated that she could alert the Township Codes Official when requests for sewer certifications are received from title companies. An education and information campaign was also discussed as an important part of the process to make realtors and title companies aware of the requirement and homeowners understand that maintenance of their sewer lateral ultimately affects their sewer rates. Mr. Boldaz requested comments on the draft lateral policy to prepare a final draft for consideration.

A Request For Proposals (RFP) with general specifications and a scope of services for sampling and analyzing groundwater monitoring wells at Applecross, Mapleview, Estates at Dowlin Forge, and the Hide-A-Way Farms developments was prepared by Hydraterra. A map showing the locations of the groundwater monitoring wells was also provided. Mr. Corbin suggested adding a

request for the turnaround time from obtaining the samples to issuance of the final report. He also suggested that the parameters to be tested include Dissolved Oxygen and Conductivity.

Act 537 Planning Grant

Hydraterra is continuing to work on the Act 537 Plan Update and is in the process of completing Section 4 pertaining to future growth and land development projections. A draft of the Plan Update will be circulated for discussion at a Task Force meeting to be held after the March work session.

New Business

The Annual Statement of Financial Interests Forms for 2019 are due 5/01/2020.


Public Comment

None.

Adjournment

Mr. Corbin moved to adjourn the meeting at 9:50 AM. Mrs. Moser seconded the motion, which carried unanimously. A work session is scheduled for Friday, March 27, 2020.

Respectfully submitted,



Jan C. Bednarchik
Secretary