

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
WORK SESSION
JUNE 26, 2020**

Members in Attendance:

David Summers, Vice Chairman
Sandra Moser, Treasurer
Thomas McClung, Member

Absent

Michael Corbin, Chairman
David Whelihan, Member

Also in Attendance:

Scott Piersol, Township Manager
Luke Reven, Assistant Township Manager
Thomas Oeste, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
Jan C. Bednarchik, Recording Secretary

The East Brandywine Township Municipal Authority remote work session of Friday, June 26, 2020, was called to order at 8:02 AM by the Vice Chairman. Mr. Summers read the following statement at the start of the meeting: *“Due to the Coronavirus pandemic and to protect public health and safety of the Township officials and our residents, the Municipal Authority is conducting this meeting by webinar. Minutes of the meeting will be prepared. Township staff are operating the control panel for this webinar and also joining us remotely are other members of the Municipal Authority, so we have a quorum. All other parties joining us can hear me but your own phones and computer microphones are muted, so we cannot hear you. To enable the organized meeting, we are using the following procedure: I would ask that all participants wait to be recognized before speaking. To be recognized, you must ask Assistant Township Manager Luke Reven, acting as the moderator for the webinar, to unmute your audio connection. You may request this at any time via the chat feature on the webinar app. Each person recognized should state their name and their affiliation and state your comment or question clearly, and I will then designate someone to respond, if necessary. If any agenda items require a vote, I will ask for a motion from one of the members of the Authority to start discussion; and after we discuss the motion, but before the vote, I will ask if there is any public comment on the motion.”* Additional participants in the remote meeting included Fred Ebert of Ebert Engineering, Gia Raffaelli, Esq., and Gregg Adelman, Esq, for Metropolitan Development Group.

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

Fred Ebert provided an update on construction and dedication issues discussed at the site meeting on 6/17/20. He reported that his client intends to install the driveway and rear access exactly as shown on the approved plans. Paving of the driveway and pump stations will be completed on

7/10/20. The sidewalk and apron will be installed and temporary paving around inlets will be completed to address stormwater issues. He asked whether the Authority wants the upper retaining wall above the treatment plant to be installed since the slope is fully stabilized and serves no purpose other than full compliance with the plan. Mr. Boldaz commented that the status of the upper retaining wall was discussed at the site meeting without any final conclusion. He suggested contacting Pennoni for input on whether the wall provides any advantage. Mr. Ebert advised that the developer intends to build the lower retaining wall in accordance with the approved plans and not the fully structural, engineered wall shown on the Pennoni plan. Mr. Ebert requested a decision on the upper retaining wall by early next week so the wall, if required, could be installed prior to paving.

Mr. Ebert indicated that arrangements have been made to start the influent sampling next week to determine the seeding required for startup. Billing issues have been coordinated and finalized with John Dean of EEMA and M.J. Reider.

D.L. Howell is expected to submit the subdivision application for the lot line adjustment to the Township today. To expedite the plan approval, Mr. Piersol spoke with Planning Commission Chairman about forgoing their review and said he is hopeful to get a review letter back from the Chester County Planning Commission in time for consideration of plan approval by the Board of Supervisors at its meeting on 7/16/20.

Mr. Ebert advised that additional survey work needs to be completed on the drip fields to identify locations of the vaults. Dan Hudson of Evans Mill Environmental has been working on the as-built design plans required for startup. Mr. Hudson has also been in contact with Hydraterra and DEP regarding the disposal capacity and their proposal to increase the loading rates. Mr. Ebert indicated that both Nancy Sansoni, DEP soils scientist, and Peter Evans, DEP hydrogeologist, have expressed support of the increased loading rates proposed by Mr. Hudson. This information was forwarded to Pravin Patel and Reza Chowdhury at DEP for direction on amending the existing Water Quality Management permit to authorize the full volume of discharge to the drip disposal fields. No response has been received to date.

Hydraterra issued a letter on 6/17/20 to Ebert Engineering detailing the requirements for the initial seeding and startup of the treatment plant. Mr. Ebert said there has been continuous progress on the punch list and asked if the operator could provide seed sludge upon receiving a favorable recommendation from the Authority Engineer once all items in the letter have been satisfactorily addressed without having to wait for approval at the next Authority meeting. Mr. Summers suggested waiting until the next meeting because outstanding issues remain. Mr. Boldaz recalled there was discussion at the last meeting about allowing the plant to be seeded to establish the biology upon favorable recommendation by the Authority Engineer. He explained that it would likely take two weeks to establish the biology for treatment and discharge. Mr. Summers inquired about the status of the punch list items and whether the Homeowners Association is amenable to the lot line change. Mr. Boldaz indicated that the punch list items were reviewed with Mr. Ebert and Pikeland Construction at the site, and he felt there was nothing substantial to prevent seeding of the treatment plant. Ms. Raffaelli said Metropolitan Development Group obtained an independent opinion verifying that the HOA documents as originally drafted were in error and

should have included all the improvements within the treatment plant boundaries. An executive meeting of the HOA is being scheduled to approve the corrected amendment, and a copy will be provided for the Supervisors' July meeting.

Mr. Ebert inquired about the status of the operation and maintenance budget and adoption of the user rate. Mr. Summers replied that the user rate has not been formally adopted but is proposed at \$295/quarter to cover mostly operational expenses with a small capital reserve and contingency.

The current pump and haul program expires on 8/01/20 and is limited to 124 units. Mr. Ebert felt the plant would be operational within thirty days but asked whether the Board felt he should request an extension from DEP. Mr. Oeste said he thought the earliest date for acceptance of dedication would be 8/11/20. Mr. Ebert will request a temporary 60-day extension.

Hydraterra issued a letter to Ebert engineering dated 6/19/20 regarding a review of the Pump and Haul Report for May. No inconsistencies requiring immediate attention were noted. Certificates of Occupancy for 112 of the maximum 124 units were issued as of 6/16/20. The letter also noted that the fifth frac tank was connected on 6/11/20.

Hydraterra issued two letters to Pikeland Construction dated 6/19/20 with review comments on the Operation and Maintenance Manuals for Pump Stations No. 1 and 2.

Hydraterra issued a letter to Schlouch Incorporated dated 6/24/20 regarding a review of the sanitary sewer televising videos in the Phase 1 and 2 collection system.

Weaver Tract

Mr. Ebert confirmed that responses to the revised project narrative and alternative analysis for the Sewage Facilities Planning Module (SFPM) have been received from the Chester County Planning Commission and Health Department and the Township Planning Commission. His office will coordinate with Mr. Piersol to post the SFPM on the Township's website for the 30-day comment period.

Plank Farm/McCausland Tract

Vic Kelly and John Mostoller attended the meeting to seek direction from the Authority regarding sewage disposal capacity for the residential portion of the Plank Farm. Mr. Kelly recalled that two sketch plans were discussed with the Authority last year. One plan complied with the 150% of needed drip disposal area and provided for the Reeceville Road extension as a loaded road rather than a true bypass between Horseshoe Pike and Bondsville Road with connections through Applecross and potentially the Winters or McCue properties. The alternate plan provided about 125% of the required land area for disposal with the road extension as an unloaded road with none of the proposed eighty-nine townhouse units having direct access onto it.

Three sketch plan options were recently discussed with the Planning Commission and Board of Supervisors. Plan 1C complies with the 150% sewage disposal area with the Reeceville Road

extension accessed directly by a number of the townhouse units. Plan 1B provides a better configuration of the road extension but only provides approximately 120% of the sewer disposal area. The third sketch shows an additional 18 duplex units in addition to the units in Plan 1B and contemplates that sewer disposal would be provided off-site, possibly at Hide-A-Way Farms, and securing the Winters tract for completing the Reeceville Road extension as recommended by the Planning Commission. If 100% of the sewage disposal needs could be met off-site, the developer would dedicate the roughly 120% on-site to the Authority for future use or expansion. Although acquisition of the Winters property doesn't appear to be a viable option at this time, the partial roadway access would still be provided.

Mr. Oeste concurred that the road extension is in jeopardy without being able to connect to Bondsville Road. He said the Board of Supervisors needs to decide whether to pursue or abandon the road extension because there is no benefit to the developer to build half the road, and the configuration for access to the development may change and enable land to be provided for drip irrigation. Mr. Kelly agreed and cited another obstacle is the Applecross Homeowners Association does not want the bypass road. He requested input on whether to proceed with a plan that provides for sewer disposal on-site or to try to consolidate infrastructure that is already in place and provide land area for the Authority's use in the future. Mr. Boldaz explained that the recent needs analysis for the Act 537 Plan update indicates that some existing developments may need to connect to the Little Washington Wastewater Treatment Plant in the future, and Aqua is looking into the possibility of utilizing the disposal beds at Hide-A-Way Farms for those homes. Based on this new information, Mr. Kelly will move forward with providing on-site sewage disposal for the development. Mr. Oeste confirmed that the preliminary plan approval for the Weaver tract was conditioned upon providing an easement to convey the treated effluent back to the Plank Farm for disposal.

Mr. Piersol implored the developer to contact the McCue's about the possible acquisition of their property to provide the last leg of the road extension, which remains part of the Township's traffic planning. Mr. Kelly noted that an existing residential property adjacent to the McCue property may also need to be purchased to configure the alignment with Reeceville Road. Mr. Mostoller said they are amenable to pursuing the McCue property, but it would require gaining additional density which then impacts the designated area for drip disposal. Mr. Oeste suggested pursuing conversations with the McCue's and also with the Supervisors to get an understanding of whether they still want to pursue the road extension and, if so, there could possibly be some relief given on the amount of drip area required to facilitate the road extension. Mr. Mostoller indicated that they would continue to explore the options and provide Mr. Piersol with an update within thirty days.

Applecross

Mr. Boldaz reported that Eastern Environmental Contractors anticipates reinstallation of the mixer motor for SBR #3 in mid-August. American Manufacturing will be on-site on 6/29/20 to reprogram their control panel to correct inconsistent reporting of liquid levels in the filtrate tank.

As previously discussed, the Chester County Water Resources Authority considers the removal or trimming of trees on the County's easement as a last resort to improve the antenna signal between

the treatment plant and the drip field. Sam Dever at Hydraterra is preparing a site plan and coordinating with Mr. VanLew to relocate the antenna on the Authority's easement. The plan will be presented at a future meeting.

Mapleview

Mr. Boldaz reported that the raw sewage pump station will be activated on 7/02/20. There has been no update on the status of the drip field design. The developer was previously reminded of the monitoring well requirements in the Water Quality Management Permit. Seven monitoring wells are to be decommissioned by 7/30/20.

Mr. Piersol advised that an open house on the first 4-unit model homes is scheduled for July 6.

Old Business

Bob Preston at Hydraterra is working on the lateral policy and will be preparing a standard detail for temporary protection around vent stacks. The document is expected to be distributed next month for final review and adoption.

The policy establishing penalties for delinquent sewer rentals adopted by Resolution No. 1 of 2005 was discussed. Mr. Summers noted that the intent of the penalties is not to increase revenue but rather to encourage rate payers to make timely payments. The policy currently states that quarterly user charges for sewer service shall be subject to an initial ten percent (10%) penalty if not paid within thirty (30) days from the date of the invoice; and, if the user charge plus the initial penalty is not paid within sixty (60) days from the date of the invoice, an additional penalty of 15% of the charge will be added to the bill. The Board agreed to amend the policy by reducing the second penalty from fifteen percent (15%) to ten percent (10%). Mr. Oeste will prepare a resolution for adoption at the next meeting.

Mr. Boldaz reviewed the bid proposals received for groundwater monitoring services and advised that the next sampling of all monitoring wells in the Township is to be completed by September. Mr. Summers moved to award the bid to Suburban Labs for the base bid of \$22,330 conditioned upon their submission of a proposed contract and a review and favorable recommendation by the Authority Solicitor. Mr. McClung seconded the motion, which carried unanimously.

Act 537 Planning Grant

Mr. Boldaz advised that a copy of the Water Quality Management Permit for Hide-A-Way Farms was provided to Aqua PA for their use in considering a possible connection of the Cross Keys development and other homes in the northwestern area of the Township to the Little Washington Wastewater Treatment Plant. There has been no response from Aqua to date.

A final draft of Sections 1 through 6 is being prepared and will be circulated to the Authority members and Supervisors. Mr. Piersol mentioned that he discussed the implementation of a Sewage Management Program as part of his report to the Board of Supervisors at the Township

meeting on 6/18/20. He explained that the focus on education and maintenance of existing on-lot systems is designed to avoid the need to expand public sewer service to other areas of the Township.

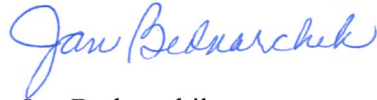
Public Comment

None.

Adjournment

Mr. Summers moved to adjourn the meeting and enter into Executive Session at 9:40 AM to discuss legal matters. Mrs. Moser seconded the motion, which was unanimously approved. The next meeting is Tuesday, July 14, 2020, at 8:00 AM.

Respectfully submitted,



Jan Bednarchik
Secretary