EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
FEBRUARY 9, 2016

Those in Attendance:

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

Absent:

Vacancy

Also in Attendance:

Scott Piersol, Township Manager
Matthew Van Lew, 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, February 9, 2016, was called to order at 7:30 AM in the East Brandywine Township Municipal Building by the Chairman. There was one visitor.

Minutes

Mrs. Moser moved to approve the minutes of January 12, 2016, as written. Mr. Corbin seconded the motion, and the motion was unanimously approved.

Treasurer's Report

Mrs. Bednarchik read the Treasurer's Report and provided a list of twenty-one invoices for the month of February totaling $51,576.58 for payment. Mr. Whelihan moved to approve the bills for payment as presented. Mrs. Moser seconded the motion, and the motion was unanimously approved.

Two separate invoices were received from MGK Associates for service calls at the Applecross Treatment Plant. The first invoice was for removing the damaged mixer and transporting it to Flyght for evaluation at $1,650. The second invoice was for removing and installing a new transducer at $3,425. These invoices are on hold pending further investigation and discussions with EEMA.

A list of liens due to be filed for 2015 was prepared. Municipal claims will be filed by the Solicitor.

There were no settlements at Applecross in January.

Applecross

In Mr. Friedman's absence, the report on the treatment plant operations for the month of January was read by Mr. Boldaz. The plant continues to operate well, and there were no permit violations to report. EEMA prepared and submitted the Annual Effluent Monitoring Report to the Delaware River Basin Commission. SBR 1 and 2 were chlorinated for five days to control filamentous algae. Maintenance items included cleaning the transducer in Pump Station A (Zynn Road). McGovern cleaned Pump Station B (Bondsville Road), and Pump Station C (Sills Lane). EEMA recommends semi-annual cleanings for Pump Stations B and C. MGK Associates pulled Influent Mixer #1 and transported it to Flyght for evaluation. Flyght determined that the motor seal failed and needs repaired. The mixer is still under warranty for 25% on parts, and the repair has been ordered. MGK also replaced the high level relay and installed the transducer in the Sludge Holding Tank.

Mr. Boldaz reported that the Applecross development is built out with no additional homes to be connected except for the future Phase 5B Plan. One violation occurred in 2015 as a result of the failure of the weir motor in the decanter. EEMA is awaiting an estimate from MGK for a spare motor to keep in stock.

Mr. Oeste reported that Joe Riper, Esq., indicated last week that he will be meeting with representatives of Pulte Homes to discuss the Authority's latest letter of intent regarding the reconciliation of costs for operation of the Applecross Treatment Plant. More recently, an email from Bill Creeger indicated that, while the letter of intent covers most of the important terms in a generally acceptable way, Pulte Homes' commitments will not become binding until a mutually acceptable Amendment is approved and signed by both Pulte and the Authority. Mr. Oeste is in the process of drafting an Amendment for distribution to the Authority next week.

Mr. Boldaz confirmed that an evaluation of the effluent piping changes has been completed and will remain on hold pending dedication of the Treatment Plant and approval by the Authority. Further consultation with Dave Friedman and some instrumentation and control vendors is necessary to understand exactly what controls are needed before the project is put out for public bid.

By letter dated 1/12/16, PADEP acknowledged receipt of the Annual Groundwater Report and concluded that the facility should not adversely impact groundwater resources meant to be used as a water supply.

Mr. Boldaz prepared a draft of the Annual Chapter 94 Report for review by the Authority Chairman. This report discusses the current operating conditions and the projected hydraulic and organic loadings at the Treatment Plant. Flows increased from 90,000 gpd to 105,000 gpd by the end of 2015, but flows are less than planning flows.

Brandywine Village Shopping Center

Mr. Oeste prepared a draft Maintenance Agreement for routine cleanings of the grease traps for Brandywine Village Associates to enforce with their tenants. The agreement specifies a monthly cleaning frequency for China Moon, and a quarterly cleaning frequency for Michelangelo's and Burger King. The Agreement also includes a provision to reduce the cleaning frequency if the restaurant can demonstrate that a reduced pumping frequency is sufficient to comply with the provisions of Authority Resolution 1 of 2013. The Agreement will be finalized to incorporate the Chairman's review comments, and the final draft will be sent to Brandywine Village Associates.

Paul Prince, Esq., indicated that Brandywine Village Associates has let a contract for connection of the Shopping Center to public sewer, but Mr. Boldaz has not been notified yet of a start date for construction or abandonment of the existing treatment plant.

Mr. Boldaz reported that a review of the Discharge Monitoring Reports (DMRs) indicates that flows have decreased from 4,000 gpd to less than 2,000 gpd since the closure of Stauffer's Market. He also reported that the plant had nine permit violations in 2015.

East Brandywine Center

Mr. Boldaz issued a letter dated 1/19/16 with review comments on the preliminary land development plan prepared by Arna Engineering, last revised on 12/09/15. Review comments included a note that the proposed sewer connection point shown for Brandywine Village Shopping Center (BVSC) differs from what is shown on the approved plan for BVSC. The applicant is requesting a waiver from the requirement that all subdivision and land development be self-sustaining relative to the storage and disposal of treated effluent. Authority Resolution No. 1 of 2010 requires that an applicant for land development provide sufficient storage and land area to store and dispose of all treated sewage effluent generated by the land development. The applicant will need to comply with the Resolution or request a waiver and propose an alternative solution for storage and disposal. The applicant will be responsible for tapping fees based on planning approval, and all other fees and expenses related to connection to public sewer. It was also noted that the planning module approved by PADEP in 2014 was for a project that connected via a pump station and force main. Additional sewer planning approval from PADEP will be required because the current plan proposes a gravity sewer connection. Legal issues related to the waiver request and sewage capacity will be discussed in executive session at the close of this meeting.

Hide-A-Way Farms

Mr. Boldaz reported that he spoke to Tim Townes of Southdown Homes about the Authority's interest in taking dedication of the disposal beds now as part of Southdown's initial dedication plan, and Mr. Townes is willing to proceed in that direction. Mr. Boldaz reiterated the need to secure the disposal beds because they adjoin and are easily accessible from the backyards of some of the homes on Patriot Lane and could be damaged by unauthorized vehicles. He will

consult the approved land development plan to determine whether the developer is obligated to erect the fencing.

Mr. Boldaz prepared a draft of the Annual Chapter 94 Report for review by the Authority Chairman. A review of operational data indicated that 14,000 gpd of raw sewage is collected at the pump station from approximately 98 homes with treatment and disposal at the Little Washington Wastewater Treatment Plant. Southdown Homes is projecting an additional twenty homes in 2016, and another 20 homes in 2017, with the remaining homes to be connected in 2018.

Old Business

Mr. Boldaz presented a proposed Act 537 Plan of Study Outline for review and discussion. The proposal cited the passage of time since adoption of the Township's Official Act 537 Plan in 2002 and the last Comprehensive Plan Update in 2009, the increase in population from 5,822 to more than 7,000 residents, the unknown number of on-lot sewer failures, and the need for additional sewage disposal areas, as considerations in his recommendation for a complete Township wide Act 537 Plan to be conducted. The first step in the sewage facilities planning process is the development of a Plan of Study in consultation with PADEP. Once the Plan of Study has been determined, a cost estimate in the form of a Task and Activity Report will be developed. PADEP approval of the Task and Activity Report is required in order to qualify for grant funding. The application period is scheduled to open in early Spring of 2016 with a deadline on or about June 30, 2016. Mr. Corbin recommended the Plan of Study remain in queue with other pending issues to be resolved, and added that the grant funding is critical to proceeding with the planning process.

Mr. Boldaz reported that DelVal Soils will be conducting additional soils testing on the Watters tract this week. Ebert Engineering and DelVal Soils abandoned the original test pits after finding the soils were unsuitable for a large volume on-lot disposal system. They are now reconfiguring their plans to pursue a drip irrigation system, which causes less earth disturbance, but requires a small tank to provide three days of storage. In comparison, the large volume on-lot disposal system requires more earth disturbance, but does not have a storage requirement and is easier to maintain. The Authority discussed the pros and cons of both systems and will await the outcome of the soils testing before giving consideration to possibly easing some of the requirements in favor of the easier to maintain on-lot disposal system.

New Business

Mr. Boldaz prepared a draft Chapter 94 Report for the Keats Glen Sewage Treatment Plant for review by the Chairman. He commented that the Operator appears to be doing a good job running the plant, and noted that only one violation occurred for a small exceedance of phosphorous in May of 2015.

The annual Statement of Financial Interests Forms were distributed and are due to be filed with the Authority Secretary by May 1st.

Mrs. Bednarchik mentioned that invoices were received from Aqua for flows from both 420 and 430 Little Washington Road. Aqua was notified that only 430 Little Washington is connected at this time, and a request was made for future invoices to be prepared on a quarterly rather than monthly basis to coincide with the Authority's quarterly invoicing.

Public Comment.

Don Graewe of 420 Corner Ketch Road attended the meeting as a potential candidate for the vacancy on the Authority. Mr. Graewe indicated that he recently retired from the insurance business and has a keen interest in participating in local government by serving as a member of the Authority. The Chairman advised that the members will consider his candidacy and possible nomination to the Board of Supervisors for appointment to the vacancy.

Adjournment

Mrs. Moser moved to adjourn the meeting at 8:32 AM and to enter into executive session to discuss legal matters relative to the East Brandywine Center project. Mr. Summers seconded the motion, and it was unanimously approved. The next meeting is Tuesday, March 8, 2016.

Respectfully submitted,

Jan Bednarchik

Jan C. Bednarchik
Secretary