

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
MARCH 8, 2016**

Those in Attendance:

Michael Corbin, Chairman
Sandra Moser, Vice Chairman
David Summers, Treasurer
Don Graewe, Member

Absent:

David Whelihan, Member

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, March 8, 2016, was called to order at 7:32 AM in the East Brandywine Township Municipal Building by the Chairman. Dave Friedman of EEMA was the only visitor.

Minutes

Mr. Summers moved to approve the minutes of February 9, 2016, as written. Mrs. Moser seconded the motion, and the motion was unanimously approved.

Treasurer's Report

Mrs. Bednarchik read the Treasurer's Report and provided a list of eighteen invoices for the month of March totaling \$46,669.62 for payment. Mr. Corbin moved to approve the bills for payment as presented. Mrs. Moser seconded the motion, and the motion was unanimously approved.

Delinquent notices for the first quarter of 2016 were mailed on March 5th to fifty customers. Municipal claims will be filed if payment is not received by April 4, 2016.

Applecross

Dave Friedman of EEMA reported on the treatment plant operations for the month of February. The plant continues to operate well, and there were no permit violations to report. Flows are currently averaging 107,000 gallons per day.

MGK Associates was on site to install the repaired influent mixer and the transducer in the Sludge Holding Tank. Mr. Friedman contacted MGK about the two invoices withheld from approval at the last Authority meeting, and awaits a response from Tom Bonjo. W.G. Malden performed the annual meter calibration. Malden also checked the drip field meter because it occasionally records flow even though nothing goes through that meter. The auto dialer from Pump Station A was removed for repair. Other maintenance items included greasing the odor control system and cleaning the Variable Frequency Drive filters. SBR1 and 2 continue to be treated for filamentous algae, which Mr. Friedman indicated is a common seasonal condition with SBR systems. The decanter weir in SBR2 periodically fails to close. According to the O&M Manual, the limit switch for regulating the decanter weir only lasts about five years.

Mr. Oeste prepared a draft Second Amendment to the existing Agreement for Construction and Operation of Community Sewage Facilities between the Municipal Authority and Pulte Homes to address dedication of the treatment plant and other facilities. The draft document was provided to Mr. Boldaz for review and comment. Once the Authority Engineer's comments are incorporated, a revised draft will be circulated to the Authority members and Pulte Homes for review.

Mr. Boldaz reported that he is working on a comprehensive final punch list of the remaining items to be completed before dedication as an exhibit to the Second Amendment. The final punch list will be reviewed with the Operator and Township Road Master.

The evaluation of the effluent piping changes will remain on hold pending dedication of the Treatment Plant and approval by the Authority.

The renewal of Docket No. D-2007-002 for the Applecross Treatment Plant was submitted to the Delaware River Basin Commission on February 10, 2016.

Mr. Boldaz confirmed that all of the Annual Chapter 94 Reports were submitted to PADEP prior to the March 31st deadline.

Mr. Piersol advised that Jan Bowers, Executive Director of the Chester County Water Resources Authority (CCWRA), contacted him with a reminder of the annual insurance coverages and certificate submittal requirements for the Applecross facilities. CCWRA has requested annual coverage limits of \$2,000,000 per occurrence and \$5,000,000 aggregate with CCWRA as an additional insured in accordance with the Land Development and Flood Protection Agreement between CCWRA and Pulte. Unbeknownst to the Authority, this Agreement states that Pulte "warrants that it has the legal authority to bind its successors and assigns to the terms and provisions of this Agreement." This includes not only the Authority, but also the Country Club and the Homeowners Association. Copies of the Agreement have been provided to Mr. Oeste and Mr. Boldaz for review. Mr. Piersol informed Ms. Bowers that Pulte still owns the Treatment Plant, but the Authority has been providing \$2M in pollution liability insurance since 2012. He will contact Ms. Bowers again to determine exactly what CCWRA wants, especially now that construction activity has concluded. If the additional liability coverage is necessary, the increase in premium would be \$6,000.

Brandywine Village Shopping Center

Mr. Boldaz spoke with Len Blair of Brandywine Village Associates yesterday to discuss the construction schedule for connection of the Shopping Center to public sewer and the shop drawings that need to be submitted for review. Mr. Blair was also reminded of the items to be completed prior to starting construction, including submission of a signed FOG Agreement, a signed Sanitary Sewer Easement Agreement, and a plan of abandonment for the existing sewer system. Also, the Highway Occupancy Permit needed to cross North Guthriesville Road has not been issued by PennDOT yet. Mr. Blair has requested the Authority's help in securing the HOP permit so construction can begin before the end of March. The Municipal Authority Engineer will be on site during construction and will witness the testing of the laterals, the main, and the manhole.

East Brandywine Center

Mr. Piersol mentioned that the hearing on the Preliminary/Final Land Development Plans of Carlino East Brandywine LP, is ongoing. The Board of Supervisors is hopeful to conclude the hearing on March 29.

Hide-A-Way Farms

Mr. Boldaz reported that some construction work unrelated to dedication was completed over the past month. Southdown Homes focused its attention on renewing a PADEP permit in order to install a pipe through the wetlands for connection of a home that is scheduled for settlement later this week. Mr. Boldaz inspected some manholes in the floodplain area and has information to share with Tim Townes about them. Mr. Townes is aware of the Authority's interest in including the disposal beds as part of the Southdown's initial dedication plan, and he is willing to proceed in that direction.

Mr. Oeste prepared a draft Bulk Service Agreement with Aqua for the treatment and disposal of wastewater from Hide-A-Way Farms. The proposed rate of \$7.49 per 1,000 gallons is the same rate Aqua is currently charging Southdown Homes for treatment and disposal, and annual rate adjustments are proposed to be based on the change in the Consumer Price Index rather than rates set by the PUC. The proposed term of the Agreement is five years with renewal for successive five year periods. Review comments received from Mr. Boldaz and the Authority members will be incorporated in a revised draft and recirculated for further discussion.

Mr. Townes received the Authority's letter and invoice seeking reimbursement for Aqua's charges to evacuate the wet well prior to the connection of the Reif property at 430 Little Washington Road. By letter dated 3/01/16, Mr. Townes voiced his objections to the charges citing the easement for two neighboring properties was granted with the understanding that Southdown would not be responsible for any additional costs or any liability for the connection of these homes to the force main. Mr. Corbin stated that the rationale behind invoicing Southdown was because the cleaning of the wet well was a routine maintenance item for a system that has been operating for several years with no record of maintenance. Mr. Boldaz

agreed that the cleaning has benefitted Southdown by saving them on needed maintenance prior to dedication of the pump station, but also expressed his wish to conserve the good working relationship established with Southdown going forward. He will work with the Authority Secretary on a response letter to Southdown.

Old Business

Mr. Boldaz reported that the additional soils testing on the Watters tract has not been done yet and there is nothing new to report at this time.

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

New Business

Jon Winters of Heritage Metal Works, 2089 Bondsville Road, recently inquired about the possibility of discharging industrial wastes in the public sewer system. Mr. Boldaz reviewed the questionnaire completed prior to Heritage Metal Works' connection to the public sewer system five years ago and then contacted Mr. Winters to discuss the Authority's rules and regulations for pretreatment of industrial waste. Following that discussion, Mr. Winters met with a consulting engineer and has elected to add an evaporator and store the waste on site in 55 gallon drums to be hauled for disposal off-site. Periodic inspections may be required to assure compliance.

Public Comment

There was no public comment.

Adjournment

Mrs. Moser moved to adjourn the meeting at 8:44 AM. Mr. Corbin seconded the motion, and it was unanimously approved. The next meeting is Tuesday, April 12, 2016.

Respectfully submitted,



Jan C. Bednarchik
Secretary