

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY  
AUGUST 9, 2016**

**Those in Attendance:**

Sandra Moser, Vice Chairman  
David Summers, Treasurer  
David Whelihan, Member  
Don Graewe, Member

**Absent:**

Michael Corbin, Chairman

**Also in Attendance:**

Scott Piersol, Township Manager  
Luke Reven, Assistant 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, August 9, 2016, was called to order at 7:30 AM in the East Brandywine Township Municipal Building by the Vice Chairman. Dave Friedman of EEMA was the only visitor.

**Minutes**

Approval of the meeting minutes of June 14 and July 12, 2016, was deferred to the next meeting.

**Treasurer's Report**

Mrs. Bednarchik read the Treasurer's Report and provided a list of 19 invoices for the month of August totaling \$50,952.63 for payment. Mr. Summers moved to approve the bills for payment as presented. Mr. Graewe seconded the motion, and the motion was unanimously approved.

Municipal Claims are due to be filed against seven customers for nonpayment of user fees for the first and/or second quarters of 2016. Municipal Claim #08-11623 and #11-03011 have been paid in full and can be marked as satisfied.

**Applecross**

Dave Friedman of EEMA reported on the treatment plant operations for the month of July. The plant continues to operate well. There was an exceedance of limits for Total Nitrogen due to low oxygen caused by the decanter weir failing to close. The filamentous issue remains under control through chlorination.

A quote was obtained from Aqua Aerobics for repairing the SBR #2 decant weir. Mr. Friedman requested approval to replace the limit switch at a cost of \$439.29 plus labor of approximately \$1,500 as an interim measure versus replacing the entire unit at \$9,617.25. The transducer in Pump Station A continues to be problematic. Consideration is being given to changing the style of transducer from a Flygt level probe to the same Sigma transducers being used at the other Pump Stations. A quote will be obtained for the Authority's consideration. Controlex was contacted to troubleshoot fault issues with Influent Pump #1. The problem was determined to be with the Variable Frequency Drive (VFD). Controlex provided a quote of \$6,725 plus freight to replace the faulty VFD and bypass assembly. Mr. Friedman requested formal approval of the quote, but indicated that the order has been placed due to the long lead time for delivery of the VFD, which is essential to the operation. Controlex also pulled and removed one of the pumps in the Influent EQ Tank due to a seal failure. EEMA awaits the results of their evaluation.

Last month, a quote was presented from McGovern Environmental to remove solids from the decant tank. The cost to clean the tank was estimated at \$6,000 to \$7,000. EEMA would like to defer the cleaning until after the weir issue has been resolved. The Influent Pump Station and Pump Stations A and B were recently cleaned to remove grease.

The merits of replacing the entire decant assembly versus replacing the limit switch only was discussed at length. Mr. Summers moved to approve the quote from Aqua Aerobics to replace the entire unit at \$9,617.25 and to salvage as many parts from the existing unit as possible for reuse. Mr. Whelihan seconded the motion, and it was unanimously approved.

Mr. Summers moved to approve the quote from Controlex Service Corporation to purchase and install a new Variable Frequency Drive (VFD) for the Influent Pump Station at a cost of \$6,725. Mr. Graewe seconded the motion, and it was unanimously approved.

Mr. Oeste reported that the Second Amendment for Construction and Operation of Community Sewage Facilities with the accompanying exhibits was finalized, and the documents were sent to Pulte for signature. Upon receipt, the documents will be forwarded to the Municipal Authority for signature.

Mr. Boldaz reported that he had previously spoken with Bob Levy, the Golf Course Operator, about the issue of easements on the Golf Course property. Mr. Boldaz will work with Mr. Oeste and Mr. Levy to prepare a Memorandum of Understanding regarding the mutual rights and responsibilities for the storage and disposal of treated wastewater on the Golf Course rather than delineate each and every easement. Mr. Oeste confirmed that the easements on the Golf Course property are included on the recorded subdivision plans and are also listed in the property deed. However, it will be necessary to clarify that the Authority has the right to transmit the treated effluent from the Treatment Plant to Lagoon #1 because that area is not specifically identified. The Golf Course Operator takes responsibility for management and spray irrigation from that point forward.

The final punchlist includes two open landscaping items. Matt VanLew noted that not all of the plantings on the approved landscaping plan have been installed, and some of the existing plantings are distressed. Mrs. Moser will ask Planning Commission Chairman Bruce Rawlings to review the landscape plan and comment on the health of the existing trees and whether all or only a portion of the plantings are needed to make the Treatment Plant more aesthetically pleasing to blend in with the neighborhood.

Mr. Boldaz prepared and discussed a chart showing the lagoon storage capacity for the first and second quarters of 2016 and a comparison from July 2015 through June 2016. He noted that Bob Levy, the Golf Course Operator, has been irrigating on a regular basis to maximize the lagoon storage for winter. Mr. Levy has indicated that he is capable of handling the agreed upon volume of 135,680 gallons per day (gpd). If the lagoon capacity approaches 100%, the Treatment Plant Operator will need to start adding the chemicals necessary to allow for stream discharge. Once the drip panel modifications are completed and operational, an application will be submitted to PADEP for a re-rate to allow the discharge of 137,680 gpd to the lagoons and an additional 20,000 gpd to the drip fields. In anticipation of the treatment plant dedication and the Act 537 Sewage Facilities Planning module for Phase IV, Mr. Boldaz began preparing drawings for the drip panel modifications. A draft set of drawings is expected to be available for review by the Authority and Mr. Friedman at the next meeting.

Mr. Boldaz provided a memo dated 8/04/16 with a cost estimate for the purchase and installation of the mechanical components necessary to place the third SBR tank in service. The total cost for the completion of this work was estimated to range from \$252,000 to \$320,000 due to the fluctuation in labor and material prices based on market demand and contract responsibilities. For an indoor project such as this, the best contractor prices are typically given when the work can be completed during the winter months. The Authority could also consider purchasing the major equipment outside of a contract to avoid the contractor's markup and possibly avoid the public bidding process. However, this option would require an increased effort and coordination on the part of the Authority's consultants and staff. Mr. Boldaz suggested a favorable contractor price could be achieved by combining the SBR and drip panel modifications as a single project to be completed during winter months. An application to the Department of Community and Economic Development (DCED) for 85% grant funding could also be considered. Mr. Summers commented that DCED grants typically require a lot of work for little, if any, funding, especially when high priority is given low income areas. However, he suggested that funding for the dual project could be combined with the bond issue for the Pulte reimbursement. Mr. Oeste noted that the Authority could negotiate reimbursement of the project costs by future developers/users.

#### **Applecross Phase IV (South Tract)**

The Sewage Facilities Planning Module for Applecross Phase IV was released and delivered to PADEP on 7/27/16.

Mr. Boldaz reported that Dan McKenna, the Civil Engineer for Pulte Homes, called his attention to a stormwater box culvert that exists across the tributary to Beaver Creek. The removal of the box culvert was discussed at a recent Planning Commission meeting. Mr. McKenna opined that

the culvert is not creating or adding to any flooding problems and may be beneficial for access to the sanitary sewer line that was installed underneath the creek. Mr. Boldaz sought the Board's input on whether or not the culvert should be removed, and suggested the Township Engineer may need to be consulted on this subject. He noted that access to the existing sewer manholes B-30 and B-31 is available along the Pulte roadway. Also, the culvert has the potential to become clogged and create flooding and will likely require periodic maintenance. However, removal of the culvert could cause more disturbance. Mr. VanLew mentioned that the culvert is listed in the Township's MS-4 Permit as having high siltation and requires the Township to have a plan to repair that stream. Cedarville Engineering has recommended numerous tree plantings along that section of the stream. It was determined that the issue of the culvert needs to be addressed by the Township Engineer.

### **Brandywine Village Shopping Center**

Mr. Boldaz confirmed that all connections to the public sewer system were completed in June, and that silt fence has been installed around the stockpile to prevent runoff. He also mentioned a discussion with Paul Prince, Esq., about abandonment of the sewage treatment plant. Mr. Prince indicated that his client has no intention to structurally remove the treatment plant, but said that McGovern Environmental has cleaned the solids out of the tank.

Mr. Oeste will prepare a response to Mr. Prince's letter of 6/24/16 concerning the Township's conditional approval of the East Brandywine Center Land Development Plan and compliance with Authority Resolution No. 1 of 2010, which requires land area for disposal of all treated sewage effluent generated on the site.

### **East Brandywine Center**

Mr. Boldaz received a set of plans for the Sanitary Collection System with a revision date of 6/27/16. The plans have been reviewed for conformance with the Municipal Authority's specifications and regulations as well as generally accepted sewer design standards, and a review letter will be issued shortly.

The litigation between Carlino/East Brandywine and Brandywine Village Associates continues.

### **Keats Glen STP**

Delaware County Community College (DCCC) has scheduled some construction on the campus that will involve a power outage at the Sewage Treatment Plant. Mr. Boldaz and Mr. VanLew met with the Treatment Plant Operator at the plant to discuss the backup power situation and how long the plant could function without power. It was determined that the generator is adequately sized to support the complete load from the treatment plant to maintain operation, so there should not be any concern during a power outage. However, there could be some disruption to communication. Mr. Boldaz shared this information with Tony DeLuca, the maintenance foreman for the College, and he indicated that DCCC will reimburse the Authority for fuel used in the generator, engineering reviews, and other costs that may be associated with

this work effort and future power outage. The construction work is scheduled to occur in November.

### **Hide-A-Way Farms**

Mr. Boldaz reported that some easements and as-built plans submitted last week by Tim Townes of Southdown Homes are awaiting his review. Mr. Boldaz did speak with Gordon Miller at Aqua to see if he had any comments on the draft Bulk Service Agreement. Mr. Miller indicated that a response would be forthcoming by the end of last week, but there has been no further response.

Mr. Summers recalled the 6/11/15 letter from Alan Roth at Aqua about billing the individual homes for sewer service at the rate of \$117/month, which far exceeds the user rate in any of the other sewer districts. Mr. Oeste indicated that the Authority will not accept dedication from Southdown if it is unable to secure a satisfactory agreement with Aqua.

Mr. Boldaz and Mr. Piersol attended a pre-construction meeting for Emma Court on 7/14/16 with Tim Townes and the contractor. A meeting will be held later today with a representative from the County concerning the proposed stream crossing for the utilities.

### **Hillendale**

There was no new activity to report on this project.

### **Old Business**

Mr. Boldaz recently participated in a phone conference with Fred Ebert of Ebert Engineering and Don Sample of Land Development Services to discuss the raw sewage collection and conveyance to the Applecross Treatment Plant and effluent disposal and storage for the Watters tract as shown on the preliminary plans prepared by Nave-Newell. The discussions were summarized in a meeting memorandum dated 7/19/16. To accommodate the 150% of sewer disposal area and stormwater management, the proposed development has been reduced from 167 units to 160 units. Mr. Sample discussed some of the challenges of the site and the need to provide stormwater management at the northern end of the tract, which creates some constraints on the proposed gravity sewer system. In order to maximize area, he inquired whether the Authority would consider a complete low-pressure system. Mr. Boldaz cautioned that low-pressure sewers create other issues concerning grinder pump ownership and maintenance responsibilities. Alternatively, Mr. Sample asked if private grinder pumps could be considered for the 13 homes on the northwestern part of the tract. The design for the pumping station, situated in the north western portion of the tract would be similar to Pump Station A on Zynn Road. A force main from the pumping station would convey raw wastewater across Rt. 322 to Empire Drive in the Applecross development. From recent soil testing results and changes to the previously presented plan, the designers are hopeful that the site will be able to provide 150% of the required disposal area. Return treated effluent would be discharged into a drip dispersal system. A local "drip skid" would provide the filtering and logic needed to operate and flush the

proposed system. The filter and pump would be on-site inside of a small enclosure. Mr. Ebert indicated that it may be challenging to provide the 3-day storage (for backup purposes) of approximately 150,000 gallons at the tract. He asked if this capacity could be provided at the Applecross lagoons. He will try to provide some redundancy in his design in order to avoid this PADEP permitting issue. The preliminary plan is expected to be submitted to the Township after Labor Day with a mounding analysis showing disposal of effluent and seasonal high water table. Mr. Summers expressed his preference for a gravity sewer system for the entire development, if possible.

There was no new activity to report on the Hopewell Pharmacy project.

There was no new activity to report on the Learning Experience project.

Mr. Boldaz reviewed the application for a Sewage Facilities Planning Module Component 3S and plan set for the proposed small flow treatment facility at 1660 Bondsville Road. A review letter was issued to All County & Associates, Inc., on 7/27/16. A revised set of drawings to address the review comments is anticipated. PADEP will require the Authority to enter into a sewage management agreement with the homeowner. The draft agreement should be submitted to the Authority for review and approval.

Mr. Boldaz received review comments from Chairman Corbin on the draft Authority Standards, Rules and Regulations, which is the comprehensive resolution to codify all of the Authority's Rules and Regulations, and the draft Standard Specifications and Details. These comments will be forwarded to Mr. Oeste for review. The draft document is expected to be ready for adoption at the September meeting.

### **New Business**

The Department of Community & Economic Development (DCED) is administering a grant program for construction, improvement, expansion, repair or rehabilitation of a water supply or sanitary sewer system that is owned and maintained by a municipality or municipal authority. The total program funds available for distribution is \$22,000,000. Municipalities and Municipal Authorities may apply for funding for projects that have a total project cost of not less than \$30,000 and not more than \$500,000. The application deadline is 10/31/16. As discussed earlier in the meeting, it was doubtful the Authority would rank highly among the sixty-seven counties in the state.

Michael Wolf of Boenning & Scattergood submitted a preliminary proposal with four options for repayment of the reimbursement obligation to Pulte. Mr. Piersol mentioned that Michael Wolf is the underwriter who has guided the Township through the bond issue process on three previous occasions. Mr. Piersol provided him with financial information from the past two audit reports as well as projections on future developments. The best alternative appears to be Option #1, which has a \$300,000 principal pay down each year, and may not require any user rate increases. The bond issue has a restriction against paying down the principal for the first five years. Any monies received from a developer within the first five years could be held in escrow until the

five year period is met. The costs of the underwriter and bond counsel would be included in the loan. The Board of Supervisors would likely be required to pledge its full faith and credit since the Authority does not have a financial track record for borrowing. If the Authority is interested in pursuing the bond issue, Mr. Wolf requested additional information to understand the revenues and expenses in order to prepare a formal proposal. He also offered to meet with the Board to review the proposal in more detail. Mr. Summers agreed that it makes sense to move forward with paying Pulte now while interest rates are low rather than in the future, but emphasized the importance of being able to repay the loan without depleting reserves. He also agreed that Option #1 is the best option to consider, and indicated that user rates may need to be increased. Mr. Wolf will be invited to attend the next meeting and meet with the Authority in Executive Session afterward.

Mrs. Moser inquired whether the Eastern Pennsylvania Water Pollution Control Operators Association still has an interest in holding one of its quarterly meetings at the Applecross Wastewater Treatment Plant. If so, she suggested an article about the meeting could be included in the Township Newsletter. Mr. Boldaz will contact the Association to ascertain their interest. He and the Operator would do a presentation on the design management of the plant as part of the meeting.

### **Adjournment**

Mr. Summers moved to adjourn the meeting at 9:30 AM. Mr. Graewe seconded the motion, and it was unanimously approved. The next meeting is Tuesday, September 13, 2016.

Respectfully submitted,



Jan C. Bednarchik  
Secretary