

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY
JANUARY 11, 2022**

Members in Attendance:

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

Absent:

David Whelihan, Member

Also in Attendance:

Luke Reven, Township Manager
Matthew VanLew, Township Roadmaster
Thomas Oeste, Esq., Municipal Authority Solicitor
Joseph Boldaz, Municipal Authority Engineer
Jan C. Bednarchik, Recording Secretary

The East Brandywine Township Municipal Authority meeting of Tuesday, January 11, 2022, was called to order at 8:02 AM by Mr. Corbin. Other attendees included Dave Friedman and John Dean of EEMA, Fred Ebert of Ebert Engineering, Sam Dever of Hydraterra Professionals, and three residents of Hideaway Farms.

Annual Reorganization

Mr. Summers moved to reappoint Mike Corbin as Chairman of the Municipal Authority for 2022. Mr. McClung seconded the motion, which carried unanimously.

Mrs. Moser moved to reappoint David Summers as Vice Chairman of the Municipal Authority for 2022. Mr. McClung seconded the motion, which carried unanimously.

Mr. Summers moved to appoint Tom McClung as Secretary and Sandra Moser as Treasurer of the Municipal Authority for 2022. Mr. Corbin seconded the motion, which carried unanimously.

Mr. Corbin moved to reappoint Thomas Oeste of Buckley Brion McGuire & Morris as Authority Solicitor for 2022. Mr. McClung seconded the motion, which carried unanimously.

Mr. Summers moved to reappoint Joseph Boldaz of Hydraterra Professionals as Authority Engineer for 2022. Mr. McClung seconded the motion, which carried unanimously.

Mr. Summers moved to reappoint Jan Bednarchik as Recording Secretary for 2022. Mr. McClung seconded the motion, which carried unanimously.

Mr. Corbin moved to appoint S&T Bank as the depository for 2022, and to reappoint David Summers, Sandra Moser, Luke Reven, and Jan Bednarchik as signatories, with three signatures required on the checks. Mr. Summers seconded the motion, which carried unanimously.

Mr. Corbin moved to confirm the monthly meeting schedule for 2022 as the second Tuesday of the month at 8:00 AM with an optional work session on the last Friday of the month, as needed, at 8:00 AM. Mr. Summers seconded the motion, which carried unanimously.

Minutes

Mr. Corbin moved to approve the minutes of the Tuesday, December 14, 2021, meeting as written. Mrs. Moser 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 January totaling \$82,859.27 for payment from the Operating Account. Mr. Summers moved to approve the Treasurer's Report and pay the bills as presented. Mr. McClung seconded the motion, which carried unanimously.

Sixteen customers remain delinquent for the fourth quarter of 2021. Municipal claims will be filed soon.

There were four settlements in December at The Estates at Dowlin Forge. The number of occupied dwellings is one hundred ninety-five plus the model home and sales center.

There were four settlements in December at Mapleview. The number of occupied dwellings is fifty-five plus the model home.

Hideaway Farms

Greg Rhoads, President of the Hideaway Farms Homeowners Association, relayed the residents' concerns about the transition to municipal billing and increase in the quarterly user fee from \$150 to \$270. Mr. Rhoads said the lack of advance notice about the impending transition or explanation about the fee increase took residents by surprise and provided little time to plan. He requested a breakdown of the costs to justify the user rate. The Authority Secretary noted that numerous calls and emails to the HOA Management Company to request their assistance in distributing information about the transition prior to the initial sewer billing went unanswered. Mr. Corbin addressed the fee increase and explained that the developer had negotiated a special rate with Aqua PA for treatment and disposal of wastewater generated by the development at Aqua's Little Washington Wastewater Treatment Plant. The Authority negotiated a bulk sewer agreement with Aqua, but the rate was substantially higher than what they charged the developer during buildout of the development. In addition to the bulk sewer charges representing eighty percent of the user fee, other costs include the operation and maintenance of the collection and pumping systems and administration. Mr. Summers added that residents in the Culbertson Run, Pinebrook Village and

Timbers neighborhoods are currently charged about \$342 per quarter by Aqua to have their wastewater treated.

Mr. Rhoads inquired whether the Authority had any plans to purchase the Little Washington plant from Aqua to help control the costs. Mr. Corbin said there were discussions with Aqua in the past about acquiring the plant, but the purchase price was significantly higher than what the Authority felt was a fair price. The purchase of the Aqua plant may be a future goal for the Authority, if the opportunity arises.

Resident Niranjan Fernando questioned the billing structure and asked why it is a flat fee and not based on usage, especially for households with efficient appliances and fixtures to conserve water. Mr. Summers explained that the development has been metered consistently and that rates were based on prior consumption. Mr. Reven clarified that the water usage for the overall development is metered, but the Authority does not own meters on each home so there is no way to know the individual homeowners' water usage.

John Dean reported that EEMA began operations as of 1/01/22 with an inspection of the pump station. A monthly maintenance schedule will be developed. The developer installed the new raw sewage pump and left the old pump on-site. A determination will be made on the viability of the old pump for use as a spare. Replacement of the existing chart recorder with a digital recorder should be a consideration for the future.

The need for utilities and the generator at the dosing station was discussed. Since the dosing station is not expected to be activated for some time, the phone and water will be discontinued but electric will be maintained for security purposes. Pumps will be removed and taken to Applecross for easy access by the operator to periodically rotate the impellers. Mr. Friedman said the generator would need to be serviced and run occasionally to remain viable. Mr. Boldaz questioned the cost to maintain the nearly 15-year old generator for ten years versus replacing it in the future, when needed, and suggested the purchase of a new generator could be part of a tapping fee paid by future users.

Mrs. Moser thanked the Hideaway residents for bringing their concerns to the Authority and encouraged residents of the development to submit their names for an upcoming vacancy on the Board.

Mr. Boldaz recommended a thorough inspection of the drip disposal beds be conducted at least annually to check for rodent holes and other damage. Hydraterra will prepare a basic plan for minimal maintenance while the disposal beds remain dormant.

Hydraterra prepared an application for renewal of the Water Quality Management Permit for the Hideaway disposal beds. Mr. Boldaz mentioned that DEP revised its fee schedule and increased the permit fee from \$500 to \$5,000. The application was submitted to DEP with a cover letter requesting a waiver of the application fee due to the size of the facility, the fact that it was intended to serve a small community, and that it has been inactive for fifteen years. Pravin Patel, Chief of the Clean Water Section, indicated that a waiver of the fee could not be approved at his level and

suggested the Authority could pay the fee in protest and take up the issue with the Central Office. Mr. Summers questioned why the permit is needed if the disposal beds are not going to be used. Mr. Boldaz spoke to DEP about the ramifications of letting the permit lapse and was told that the Authority would have to start from scratch with a soils evaluation, groundwater monitoring, etc., to reinstate the permit. Mr. Ebert cautioned that the costs to start over would far exceed the cost of the permit renewal fee, especially if there is a change in conditions. Mr. Oeste spoke about the importance of maintaining the 30,000 gallons of disposal capacity, and Mr. Boldaz added that the disposal beds are listed as one of the alternatives in the Act 537 Plan Update for a development tributary to Little Washington. The matter was tabled for further discussion at the next meeting.

Hydraterra issued a letter dated 1/06/22 recommending final escrow releases for Phases 1, 2 and 3 in the total amount of \$326,787.94. Mr. Summers moved to approve the final escrow release requests in the amount of \$326,787.74 as recommended by the Authority Engineer. Mrs. Moser seconded the motion, which carried unanimously.

The Quarterly Permit Report for the Hideaway Farms Pump Station will be presented next month, pending receipt of data from Aqua.

EEMA submitted a letter agreement for operation and maintenance of the Hideaway Farms Pump Station at \$475 per month for basic service. The agreement references the existing Applecross Agreement for the scope of services and terms of conditions. The agreement also references a separate fee of \$87 per month for inspection and maintenance of the drip field and related equipment, if desired. Mr. Oeste reviewed the agreement and found it to be in order for acceptance. Mr. Corbin moved to approve the Letter Agreement with EEMA O&M Services Group dated 1/06/22 for Pump Station Operations at Hideaway Farms at the rate of \$475/month. Mrs. Moser seconded the motion, which carried unanimously.

Estates at Dowlin Forge

John Dean reported that the plant is running well, and all permit parameters were met in December. Some drip zones remain shut down due to inoperable solenoid valves and broken tubes. Basic preventative maintenance was performed on the disk filter. An issue at Pump Station 2 occurred due to grease buildup on the transducer. The new mag meter was installed at the treatment plant by W.G. Malden. EEMA will be preparing a quote to complete some outstanding punchlist items pursuant to a request from Fred Ebert. Average daily flow was 29,000 gallons, and total treated effluent in December was 896,000 gallons.

The Township Fire Department recently responded to resident complaints about a propane smell. Fire officials determined it was sewer odors. Mr. Boldaz said the complaints were in the vicinity of Pump Station 2. Manholes were opened and wastewater was observed to be flowing normally. Mr. Friedman mentioned that a quantity of odor control material was found at the Hideaway Farms Pump Station that could be utilized at Hillendale. Mr. Boldaz suggested waiting until warmer weather.

Fred Ebert addressed the punchlist items and said Metropolitan Development Group is committed to completing the project despite manpower and weather challenges. Coordination with EEMA on completing some punchlist items was seen as the simplest way to move forward and reduce inspection costs. EEMA was requested to provide a quote for installation of the Lakeside Screen sensor, sludge decant pump and diesel tank gauge at Pump Station 1, the repair/replacement of faulty solenoid valves and turf boxes and repair of broken drip tubing. Metropolitan will pay for the repair of the decant pump, repair the settlement around the treatment plant, complete final paving of the treatment plant and pump stations and final restoration of erosion, final seeding and additional topsoil, including any erosion that may occur in the spring. Mr. Ebert requested the scope of work be confined to the items noted in the 10/15/21 email from Bob Preston, the Post Ida Inspection Report by EEMA dated 9/27/21 and the Disposal Field Drip Tubing Erosion Report dated 9/27/21, plus any erosion and sedimentation problems that may occur in the spring.

Brandywine Walk/Weaver tract

Mr. Boldaz advised that DEP has indicated its support for amending the Applecross Water Quality Management Permit to include the drip disposal for the Weaver Tract rather than issuing a new permit. Mr. Ebert will send a letter to DEP requesting withdrawal of the Weaver Tract application and agreeing to the amendment option.

McCausland/Plank Tract

Mr. Oeste advised that he, Luke Reven and one Supervisor met with Vic Kelly yesterday to discuss the proposed conditions in the draft Conditional Use Decision. The Board of Supervisors is hopeful to issue the Conditional Use Decision at its next meeting on January 20. However, the wording of conditions concerning the potential connector road and the drip field are sticking points to be resolved. The applicant can provide the required 150% land disposal area in the absence of providing land for the connector road but is reluctant to commit to a certain percentage when allowing for the road. The applicant won't know what percentage is achievable until the mounding analysis is complete. The issue of grinder pumps was also discussed with Mr. Kelly yesterday. Mr. Oeste expressed the opinion that the number of grinder pumps needs to be reduced to the maximum extent possible. Mr. Kelly said he felt the number of units could be reduced to five. Mr. Ebert added that the number of units could possibly be reduced to two by slightly reducing the depth.

Mr. Ebert inquired whether there is an easement on the Weaver Tract that can be used for the treated effluent line for the Plank development. Mr. Oeste confirmed that an easement was a condition of preliminary plan approval, but the easement does not extend all the way to Bondsville Road.

Mr. Corbin departed the meeting at 9:30 AM, and Mr. Summers chaired the remainder of the meeting.

Applecross

Mr. Friedman reported that the plant is running well, and all permit parameters were met in December. EEMA is currently inventorying spare parts and organizing lab equipment and O&M manuals. Additional shelving is needed. Maintenance items included replacement of the high level float at Pump Station A after false alarms and inspection of the voltage supply for Pump Station C. Average daily flow was 131,000 gallons, and total treated effluent in December was 4,076,000 gallons.

Mr. Dever presented the Quarterly Permit Report and noted that flow rates remain consistent, and there were no excursions in the fourth quarter of 2021. The Lagoon Storage Capacity Report indicates the lagoons have sufficient capacity for winter storage. Discussions with the golf course operator to find opportunities for expansion of the spray field are ongoing.

Mr. VanLew submitted a proposal of \$22,300 to provide labor and equipment to remove dead and diseased ash trees located within the drip disposal area along the golf course driving range. The golf course operator has granted permission for the work and will mark the trees to be removed. Due to the cost, additional quotes are required. Mr. VanLew will prepare a scope of work, and Hydraterra will contact local tree services to request two additional quotes. The work needs to be completed while the ground is frozen to minimize damage to the spray fields. Mr. Summers moved to approve the proposal submitted by Mr. VanLew in the amount of \$22,300 for the Township Road Department to remove dead and diseased trees from the Applecross drip field area, subject to compliance with the bidding requirements in the Municipality Authorities Act. Mr. McClung seconded the motion, which carried unanimously.

Keats Glen

John Dean reported that the plant is running well, and all permit parameters were met in December. The wasting schedule was adjusted for operation in colder temperatures. Debris and rags were cleaned from the anoxic tank. Average daily flow was 8,000 gallons, and total treated effluent in December was 240,000 gallons.

Mr. Summers moved to approve the purchase of a new mixing pump for stock from Pump Products at a cost of \$1,066.48. Mr. McClung seconded the motion, which carried unanimously.

Mr. Dever presented the Quarterly Permit Report and noted that flow rates were consistent with the prior year. There was one excursion in the fourth quarter of 2021 due to a break in the chemical feed line.

Old Business

Mr. Oeste prepared a resolution to reduce the quarterly user fee for the Hillendale Sewer District consistent with the 2022 Budget. Mr. Summers moved to approve Resolution No. 1 of 2022 to establish a user rate of \$250/EDU/quarter for the Hillendale Sewer District to be effective 1/01/22. Mr. McClung seconded the motion, which carried unanimously.

The person who inquired about the possibility of a sewer connection for the Mt. Idy mobile home park withdrew his request for information.

The Sewage Facilities Planning Module Application Mailer seeking a planning exemption for a proposed public sewer connection for 201 Zynn Road was submitted to DEP for review.

New Business

None.

Public Comment

Mr. Summers mentioned his participation in an online seminar sponsored by the PA Municipal Authorities Association on the topic of water/sewer termination for nonpayment. Authorities are required to adopt rules and regulations and enroll in a program in order for residents to apply for assistance to pay their utility bill. Mr. Oeste added that the Act requires Authorities to pay the water bills during the shutoff period. The seminar materials will be saved for future reference.

Adjournment

Mrs. Moser moved to adjourn the meeting at 10:05 AM and enter into Executive Session to discuss litigation matters. Mr. McClung seconded the motion, which carried unanimously.

Respectfully submitted,



Jan C. Bednarchik
Secretary