

**EAST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY  
MARCH 8, 2022**

**Members in Attendance:**

Michael Corbin, Chairman  
David Summers, Vice Chairman  
Sandra Moser, Treasurer  
David Whelihan, Member  
Thomas McClung, 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, March 8, 2022, was called to order at 8:00 AM by Mr. Corbin. Other attendees included Dave Friedman\* and John Dean of EEMA, and two visitors. \**Mr. McClung and Mr. Friedman participated remotely.*

**Minutes**

Mr. Summers moved to approve the minutes of the Tuesday, February 8, 2022, meeting as written. Mr. Corbin seconded the motion, which carried unanimously.

**Treasurer's Report**

Mrs. Bednarchik read the Treasurer's Report and provided a list of forty invoices for the period of 2/09/22 through 3/08/22 totaling \$175,315.12, which includes the quarterly transfer of \$72,500 to the Bond Account, for payment from the Operating Account. Mr. Corbin moved to approve the Treasurer's Report and pay the bills as presented. Mrs. Moser seconded the motion, which carried unanimously.

Delinquent notices for nonpayment of user fees for the first quarter of 2022 will be mailed tomorrow. Municipal claims will be filed if payment is not received by April 9, 2022.

There was one settlement in February at The Estates at Dowlin Forge. The number of occupied dwellings is two hundred four.

There were five settlements in February at Maplevue. The number of occupied dwellings is sixty-two plus the model home.

**Public Comment**

## **Public Comment**

Charles Haas and Peter Herring, residents of Hopewell Road, attended the meeting to discuss odor and stormwater runoff issues from the Hillendale Wastewater Treatment Plant. Mr. Haas said sewer odors were nonexistent prior to construction of the development. He submitted a list of the dates and times when odors have been observed. Mr. Corbin said the Authority would use the list to try to correlate with the plant operations and troubleshoot any findings. Mr. Corbin also explained that the plant is operating at less than its rated capacity of 58,000 gallons per day, and that the treated effluent is disposed of underground via drip irrigation in the woods. Mr. Dean said the plant gets pumped out once every ten days and that he will check to see if the pumping coincides with any dates on the list. Mr. Summers suggested the residents arrange a tour of the plant to better understand how it operates. Mr. Dean will meet both gentlemen on site at 9:30 AM this morning for a tour of the plant.

Mr. Haas also mentioned that stormwater runoff from the development has damaged his pond three times in the past three years. Mr. Corbin advised that stormwater issues are the responsibility of the township. Mr. Reven explained that the Chester County Conservation District (CCCD) has direct responsibility for permitting and overseeing erosion and sedimentation control measures for construction projects, and CCCD has issued notices of violation over the course of the project. He also noted that the township engineer has made multiple site inspections and that erosion control measures have been in place per the approved plan.

## **Applecross**

Dave Friedman reported that dosing of sodium hypochlorite was increased to treat a rapid onset of filamentous bacteria, which caused an increase in Total Suspended Solids. The drip system is back online and bypassing the auto backwashing filters. Four auto drip valves are inoperable and need to be rebuilt, and several solenoid valves need to be replaced. The manufacturer was contacted about these issues and the availability of parts. Pump stations are scheduled to be cleaned. The grinder from the Bondsville Pump Station may be able to be used as a spare for other pump stations but will need to be rebuilt. A blueprint filing cabinet donated by Hydraterra was moved to the administration room. Maintenance items included troubleshooting the drip skid and alarms at the Influent Pump Station and Pump Station B. Average daily flow was 131,000 gallons, and total treated effluent in February was 3,655,000 gallons.

DEP released a pre-final Water Quality Management Permit on 2/15/22. Mr. Boldaz met with EEMA to review the permit and several discrepancies were found. Revisions were provided to DEP and the final permit is expected to be issued soon. The permit amendment approves the construction and operation of the Mapleview drip irrigation system and the Weaver Tract sewer extension and drip irrigation system.

The Annual Chapter 94 Report was completed. Editorial comments by Chairman Corbin will be incorporated, and the report will be submitted to DEP by the 3/31/22 due date.

Mr. Oeste reported that he reviewed the dedication documents for Applecross Phase IV-B, including the sanitary sewer easement agreement, maintenance agreement and maintenance bond, and found all documents to be in order. Mr. Oeste recommended the dedication documents be accepted and approved subject to receipt of the executed documents and bond. Hydraterra previously confirmed that all legal descriptions accurately depict and describe the easements and rights-of-way being offered for dedication. Mr. Corbin moved to accept dedication of the sanitary sewer facilities and easements for Applecross Phase IV-B subject to receiving the executed documents and maintenance bond. Mr. Summers seconded the motion, which carried unanimously.

Hydraterra issued a report on the annual FOG inspection at the Applecross Country Club on 12/21/21. A new grease trap was installed at the Clubhouse in the spring of 2021. The grease trap at the Trego Banquet Facility is scheduled to be decommissioned within the next year and a new grease trap installed. A recommendation was made to post a log of the pumping and cleaning frequency in the room closest to the grease interceptor at the Clubhouse.

The removal of dead and diseased ash trees located within the drip disposal area was discussed. Mr. VanLew indicated that roughly half of the trees are located on the perimeter of the drip area and could be dropped without damaging the drip tubing. The trees within the perimeter will be remarked with a different color. Mr. Boldaz will prepare a revised scope of work to address access to the site and other protective measures and seek revised proposals from the tree services.

### **Keats Glen**

John Dean reported that the operations building was cleaned after a mouse infestation was removed. Main Pool & Chemical removed the remainder of their chemical containers left onsite. The effluent flow meter was calibrated, and the breaker for mixing pump #1 was replaced. Average daily flow was 7,600 gallons, and total treated effluent in February was 213,900 gallons.

The NPDES permit renewal application was submitted to DEP on 2/25/22.

The Annual Chapter 94 Report was completed. Editorial comments by Chairman Corbin will be incorporated, and the report will be submitted to DEP by the 3/31/22 due date.

### **Estates at Dowlin Forge**

John Dean reported that the EQ tank, disk filter, influent screen and parshall flume were cleaned. The operations building lab and bathroom were also cleaned. All meters were calibrated. Power disconnect switches for both UV control panels were installed. Blowers are due for their first oil change. No noticeable odors were detected in February. The quarterly inspection of the drip fields will occur this month. Average daily flow was 30,000 gallons, and total treated effluent in February was 829,000 gallons.

Mr. Dean also provided an update on the punch list items. The decant pump was installed, wired and tested. All drip zones are now operational and tested. The new fuel gauge for Pump Station

#1 has been installed and tested. The broken tubing sections in the drip field have been repaired and tested. All valve boxes in the drip field have been repaired, replaced, or had new lids installed. The ultrasonic transducer for the Lakeside screen has been installed but needs to be calibrated. The decant pump will be reinstalled once the repair is complete. EEMA staff marked erosion areas of the treatment plant property with pin flags. The developer is responsible for completing the soil restoration work.

The Annual Chapter 94 Report was completed. Editorial comments by Chairman Corbin will be incorporated, and the report will be submitted to DEP by the 3/31/22 due date.

### **Hideaway Farms**

Mr. Dean reported that the twice weekly inspections of the pump station were performed, and the station is being cleaned. The flow meter was calibrated. The quarterly inspection of the disposal field will occur this month. Average daily flow was 23,679 gallons.

Hydraterra prepared a Technical Memorandum dated 2/16/22 with an evaluation on the dosing pump station generator. The memo noted that the existing generator is twelve years old and has been inactive since it was installed. The need for disposal capacity at the Hideaway beds within the next ten to fifteen years is remote, and the accumulated expenses to maintain the generator would exceed the estimated replacement and installation costs in the future. Therefore, it was recommended the generator be sold as soon as possible to minimize expenditures at the dosing pump station. Mr. Corbin moved to proceed with the sale of the dosing pump station generator. Mr. Summers seconded the motion, which carried unanimously. A notice for acceptance of bids on the existing generator will be advertised in the local newspaper and on MuniBid with dates specified for the bid opening and award. The proceeds from the generator sale will be deposited to a capital reserve account. Mr. Boldaz also suggested adding solar power lights at the dosing station and terminating the electric service.

A check for the \$5,000 renewal fee for the Water Quality Management Permit for the Hideaway disposal beds was submitted to DEP along with a letter dated 2/14/22 requesting consideration of a waiver or reduction of the fee since the disposal beds were never placed into service and are not expected to be utilized for at least ten years or longer.

DEP issued a letter dated 2/17/22 regarding receipt of the Annual Groundwater Report for the Hideaway Farms subsurface disposal area. The letter acknowledged that the site is inactive and is not anticipated to have effluent applied in the foreseeable future. In this case, groundwater sampling does not need to be active, but would need to be reactivated at least six months prior to the application of treated effluent to reestablish background groundwater quality. Hydraterra notified Suburban Labs to discontinue the groundwater monitoring at this location.

The Annual Chapter 94 Report was completed. Editorial comments by Chairman Corbin will be incorporated, and the report will be submitted to DEP by the 3/31/22 due date.

## **Mapleview**

Mr. Dean reported that EEMA continues to monitor the pump station for MGK Industries. Several maintenance items occurred that were addressed quickly by MGK. Average daily flow was 6,056 gallons. Flow data for 2021 was provided to Hydraterra.

## **Weaver Tract/Brandywine Walk**

Mr. Oeste reported that the developer intends to submit the final land development application and plan to the township shortly.

## **McCausland/Plank**

Mr. Oeste advised that the Board of Supervisors granted Conditional Use Approval on 3/03/22 to permit a maximum of eighty-nine multi-family dwellings as a TND-2 Traditional Neighborhood Development on the Plank tract. Among other conditions of approval, the land development plan is to provide sufficient land area for sewage disposal equal to 150% provided that, if the Township opts to accept dedication of an easement over the proposed drip fields to construct the East Reeceville Road Extension, the area available for disposal can be reduced to 100% of the land area needed.

## **Old Business**

Hydraterra issued a report on the annual FOG inspection at the commercial food establishments in the Brandywine Village Shopping Center on 11/30/21. An observation report with photographs and a summary of findings was provided for each establishment including Dunkin Donuts, Michelangelo's, and China Moon. The report noted that Dairy Queen was not visited as there is no cooking at the prep area and it has no grease interceptor or grease trap. Also, Milan Café permanently closed as of Spring 2021. The facilities were reminded to post maintenance records at a visible location near the grease trap/interceptor. Two downstream manholes that receive discharge from the restaurants were inspected and no visible signs of excessive grease were found.

Hydraterra issued a report on the annual FOG inspection at Crop's Fresh Marketplace within the Brandywine Village Shopping Center on 12/08/21. An observation report with photographs and a summary of findings was provided for the five different food preparation areas of the establishment: Meat, Seafood, Bakery, Prepared Foods, and Deli departments. Chad Cropper, Director of Operations, indicated that the five grease traps are cleaned every two to three months. The report recommended that pumping records be submitted electronically to Hydraterra after every cleaning along with photos of the grease traps during pumping. It was also recommended that the service provider utilize a "Sludge Judge Sampler" or similar equipment prior to each cleaning in order to accurately determine the amount of FOG in the grease trap. The amount of FOG measured by this device should be noted on each report.

Per the discussions at the last meeting, Mr. Oeste drafted a resolution to establish a policy regarding buildings that become uninhabitable due to accidental and unintentional fire damage or other

casualty and authorizing the reduction of user fees for same. In the event a property owner suffers a loss of occupancy, the Authority, within its sole discretion, may temporarily reduce the amount of sewer rental rates due. A property owner may request a reduction of user fees by submitting a written application with the property address, number of dwelling units, date of fire or casualty, proof of inhabitability of the property, and the expected date for completion of repairs. For properties assigned one EDU (Equivalent Dwelling Unit), the reduced rate, if approved, shall be one-half of the user fee otherwise due and payable. For properties assigned more than one EDU, the reduced rate, if approved, shall be based on one EDU. Additional provisions stipulate the effective and termination date of the reduction, authorize inspections to verify occupancy status, address nonpayment of the reduced quarterly user fee and requests to relinquish reserve capacity in the Sewerage System. Mr. Corbin moved to adoption Resolution No. 2 of 2022, a resolution amending the Authority Standards, Rules and Regulations of 2017, to authorize the reduction of user fees for uninhabitable buildings. Mr. Summers seconded the motion, which carried unanimously. Applications will be acted on administratively.

Mr. VanLew reported that he continues to work on obtaining an agreement with a company to provide emergency delivery of 3,700 gallons of fuel for the ten existing generators during an extended power outage.

Mr. Oeste drafted a follow up letter to the East Brandywine Fire Company concerning the location of structures that appear to be located within the Authority's sanitary sewer easement. The letter states that the Authority has no objection to these structures and any other structures that may be located within the easement remaining in the easement as long as they do not interfere with the operation, maintenance, repair, and replacement of the sanitary sewer line, subject to certain conditions, including the submission of an as-built plan prepared by a professional land surveyor or professional engineer depicting the boundaries of the easement and the location and dimensions of all above and underground structures located within the easement. Mr. Corbin moved to authorize the signing of the letter granting permission for the structures to remain within the sanitary sewer easement as stipulated in the letter. Mr. Summers seconded the motion, which carried unanimously.

The auditor from BBD LLP met with the Authority Secretary on 2/24/22 to complete his review of the financial records. All accounts were found to be in good order. The final audit report for 2021 is expected to be completed shortly.

The Pennsylvania Municipal Authorities Association announced various workshops to be held on 4/14/22 at the Hershey Hotel.

The Annual Statement of Financial Interests forms are due to the Township Secretary by 5/01/22.

Mrs. Bednarchik submitted notice of her intent to retire as Authority Secretary as of 6/30/22 after eighteen years of service. She offered to help find a replacement and assist in making the transition as smooth as possible.

Mr. Summers obtained a proposal from Victory Bank to provide custom-tailored banking services for the Authority's investment accounts. Mr. Boldaz also recommended contacting Mid Penn Bank for a comparison proposal.

**Public Comment**

None.

**Adjournment**

Mrs. Moser moved to adjourn the meeting at 9:43 AM and enter into a brief Executive session to discuss legal matters. Mr. Summers seconded the motion, which carried unanimously.

Respectfully submitted,



Jan C. Bednarchik  
Secretary