

# WEST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY

Incorporated 1995

199 Lafayette Road, West Brandywine, PA 19320-1230

Josef G. Obernier, Sr.- Chairman  
J. Richard Weaver, Jr.- Treasurer  
Sandra G. Martin – Asst. Secretary/Treasurer

William R. McAdoo- Vice Chairman  
Joseph S. Boldaz- Secretary

## Meeting Minutes for July 9, 2015

### Call to Order

The meeting was called to order by Chairman Obernier at 7:32pm

### Pledge of Allegiance

### Roll Call of Board Members

Present at the meeting were Joseph S. Boldaz (JSB), Sandra G. Martin (SGM), William R. McAdoo (WRM), Josef G. Obernier, Sr. (JGO), and J. Richard Weaver, Jr. (JRW)

### Others Present

Authority Engineer Bill Malin from Carroll Engineer Corporation, Operator John Troutman from Miller Environmental and Administrator Anita Ferenz were present

### Public Notification

### Action on Minutes of Previous Meeting(s)

A Motion was made by JSB to accept the minutes of the June 11, 2015 regular meeting, and seconded by JRW. All members present, besides WRM who abstained, were in favor.

### Public Presentation

Terry Lindor from Bohler Engineering was present to give a short presentation to the Board Members with regard to the proposed development at 1403 Horseshoe Pike and to request a capacity letter for public sewer. Mr. Lindor stated that the proposed development, consisting of a CVS, Wawa, bank and day care would require a 3,500/day usage. Two possible connections to the public sewer were discussed; (1) a new pump station on Swinehart Road which would travel across Rt 322 and down Culbertson Run Road to the pump station; and (2) pump to the old Ramblewood site and then proceed across Rt 322 (further west than option 1) following existing gravity infrastructure to the pump station on Culbertson Run Road. It was recommended that Mr. Lindor research these potential options and any others.

**Public Comments** (individuals requesting to be on agenda) - *None*

### Correspondence/Communications (information to note and or act upon)

#### Information to Note:

1. PMAA June 2015 edition of The Authority. *Noted*
2. Audited Financial Statements for 2014. *Noted*

3. Receipt of correspondence dated July 2, 2015 from Sigmund J. Fleck, Esquire to both Jim MacCombie and Ron Rambo with attached Subpoenas to Attend and Testify at the Pulte hearing scheduled to commence on Monday, July 27, 2015. *Noted*
4. Revenue & Expenditures v. Budget – January thru June 2015. *Noted*

Information to Act Upon:

1. Receipt of email and quote from Modern Group with regard to replacement of batteries for the generators at the pump stations. *Discussion between Board Members and Operator with regard to the proposed replacement of batteries (two 8-D batteries for Reeceville). A Motion was made by JSB to approve the quote from Modern Group, and seconded by JRW. All members present were in favor.*
2. Receipt of correspondence dated June 24, 2015 from Dale Barnett regarding reimbursement to the Township for payment of invoices for legal services rendered by Buckley Brion in Pulte litigation matter. *It was noted that two entries on a recent bill were attributable to the Township and should be deducted. A Motion was made by WRM to approve the payment to the Township with the stated reduction, and seconded by JGO. All members present were in favor. A copy of the bill with the "Township" entries will be forwarded with payment.*
3. Receipt of correspondence dated July 2, 2015 from Stephen R. Schaaf of TD Wealth Management regarding debt service payments for both Series 2009 and Series 2012 bonds. *Noted*

**Reports**

1. Secretary – JSB is requesting that Carroll Engineering (CEC) receive a copy of the recently approved Act 537 Plan; discussion with Township Supervisors in attendance about allowing CEC to borrow the document, have it scanned and returned with CD copies.
2. Treasurer – As of June 30, 2015, Friendship Village account balance was \$96,133.82 and Kimberwick account balance was \$18,703.70.
3. Administrator – (1) 2014 audited Financial Statement are completed; forwarded to both PFM for use in exploring refinancing opportunities with local institutions and published to the Municipal Securities Rulemaking Board (MSRB) site in compliance with Continuing Disclosure guidelines. (2) Insurance claim with regard to freeze break at Reeceville Road pump station back in March has been settled, insurance covered all but \$1,000 deductible; full payment made and matter is finalized.
4. Engineer – (1) Brandywine Meadows and review of pump station, email to everyone summing up conversation with Evans Mill Environmental. Discussion of what the \$2,500 escrowed funds was to cover. Provided system design – no other area can utilize this system and seems not likely as appropriate. Submersible pump system seems more appropriate, going back to the developer with new proposed options. At the moment, CEC can complete a review for remaining funds at this time unless further reviews are necessary. Proposed location is in the middle of the proposed development, not feasible for Indian Run Trailer Park to connect. If using a submersible pump for development and Indian Run would connect at a later date, slightly bigger pumps would be necessary; current proposed design is oversized. A question was asked by John Cassels about ability to move pump station location to a spot closer to the stream

that would allow Indian Run Village to connect at a future time. Escrow should have been set at \$5,000 with a request for additional funds when 90% is used. A suggestion was made by SGM that we alert the developer of our change in engineer and the fact that the escrow currently being held will be inadequate but we will continue with the review until we use up 90% and then wait for replenishment.

(2) Unused sewer capacity – Issue at hand deals with several large (bulk) users who purchased capacity and do not use it all. Another municipal authority in Bucks County utilizes a system whereby large purchasers of capacity who allow a certain portion to sit unused even though the authority makes other decisions based on revenue generated by that total purchased capacity, pay the debt service on that capacity. Brandywine Hospital could expand, the school district can expand but the expansion would be in Caln Township. Solicitor assistance would be needed, perhaps contacting PMAA Solicitor would be a good idea. Further discussion concerning the Hospital and whether, if forced to pay debt service or relinquish capacity, the Hospital would revert to sending effluent to Caln Township instead of WBTMA.

5. Operator – June flows were consistent with May. Discussion on issues with Ashberry pumps; will probably have to pull pump 2 and have it looked at it, will provide more information relating to costs for repair or replacement. If pump 1 fails, a truck would have to be on standby to pump and then secure a replacement. All alarm systems work with operator getting the appropriate calls.

Concerns raised by Frank Keegan with regard to smell coming from Culbertson Run pump station and inquiry about what can be done. Engineer to provide bioxide rep contact information to Operator.

Reeceville Road – investigative option would be to rent a pump (Rental at \$40/hour for about 6 hours, not to exceed \$287), remove lids and visualize water activity. If needed, we can televise with either Caln Township if they have the time or Pipe Data.

## **Old Business**

1. Brandywine Meadows – CEC working with Evans Mill Environmental on review of submitted design. *Noted and discussed under Engineer's comments.*
2. Buckley Brion services with regard to the Pulte litigation. \$5,000 was paid on account, with the promise of another \$5,000 by the end of July. *Noted*
3. Shellenberger (267 Monacy Road) refund request from May 2013 through April 2014 due to Authority's delay in installing water meters after announcement of same in January 2013. *Administrator provided requested Resolution from 12/2012 and recommendation to credit property owners in the amount of their 2<sup>nd</sup> quarter 2015 sewer bill (\$156.75) as compensation for overpayment while paying flat rate versus actual usage. Administrator to provide property owners with calculations and if disputed to come back at August meeting for reconsideration.*
4. 40 Graces Drive – Resolution needed on lateral maintenance and payment of attorney's fees. *Discussion between Board Members, Administrator and members of the public with regard to payment of attorney's fees. A Motion was made by WRM to pay the Estate the full sum of requested attorney's fees, and seconded by JSB. All members present were in favor. Further discussions between Board members and Tom Eells, Director of Public Works, with regard to an abandoned portion of the line due to tree infiltration and collapse of pipe and a recommendation of what should have happened to alleviate the problem of that abandoned line.*
5. Refunding of the 2009 Bonds. 2014 Audited Financial Statements forwarded to Chris Bamber. *Noted*

6. The Authority website is being finalized. *Noted, discussion with John Cassels regarding wbtma and the three extension options (.com, .net, and .org). John to clear up from Board's decision to utilize .org and release the others.*
7. Used equipment at Kimberwick site – Anita asking Township to remove and retain scrap monies received. *Noted*
8. Used equipment stored in the fire training building -- Anita working with engineer and operator to inventory, photograph and determine worth. *Noted*
9. WBTMA and WBT v Pulte Homes of PA, LP – pending litigation. Trial currently scheduled to commence July 27, 2015; Subpoenas issued. *Noted*
10. Netherwood Drive properties tied into public sewer. Anita continues to work on this. *To be completed before next meeting.*
11. Frank Keegan's grading issues (Culbertson Run Road) – attempting meeting 7/9/15 or 7/10/15. *Discussion on maintenance of building and surrounding area. Meeting scheduled for 7/10/15 at 4:30 with Scott Sandone at Keegan residence; will also look at pump station building maintenance.*
12. Infiltration on East Reeceville Road – Operator to propose options for best solution, i.e. pumping, etc. *Operator provided a viable investigative option – rent a pump for 2" pipe, allow 6 hours to pump, cost not to exceed \$287. Procedure would be pump, remove lids, visualize water activity, and televise if needed. Suggestion made that we undertake project after it rains for a while. Operator to coordinate with Administrator.*
13. PAWC repayment of outstanding balance plus current usage – Jim Gable is now handling our account. *Noted*
14. Brandywine Hospital – Engineer to discuss issue of unused capacity and available options. *See discussion under Engineer's report above.*
15. Vents/cleanouts of sewer residents – notification of importance for caps to be placed on website. *Noted*
16. Monacy Manor development – Operator to verify flows; approximately 50 sewer residents flow to the Ashberry pump station with an approximate 90 that can flow if hooked up. *Letters to be sent to residents in question concerning hook up.*
17. MA Truck. *Discussion regarding a proposed Shared Services Agreement by the Township and need for the Authority to be able to review same. Township performs various services for the Authority to which reimbursement has not accounted for (it was several years ago). Administrator researched Kelly Blue Book value at approximately \$30,000 and alerted Board Members that someone other than the Township may be interested. Township Manager to provide copy of Shared Services Agreement (PA One calls, maintenance to pump station properties, mowing and plowing, general requests for assistance) to MA for review.*

## **New Business**

### **New Business from the Floor**

### **New Business from the Board**

JSB requesting that Administrator, Engineer and Operator be seated together facing the Board members.

### **Open Items**

**Public Comments** (individuals not requesting to be on agenda)

Frank Keegan, 139 Culbertson Run Road – Expression of opinion on how the board operates, sometimes cooperatively and sometimes uncooperatively. Requests that the Board start showing respect to the community

**Payment of Bills**

1. Friendship Village Sewer District- \$60,295.30, and Ratified Payments of \$10,121.28 on 6/25/15.
2. Kimberwick Sewer District- \$102.00, and Ratified Payments of \$415.70 on 6/25/15.

A Motion to pay the Friendship Village and Kimberwick bills and ratify those made on June 25, 2015 was made by WRM, seconded by JSB. All members present were in favor.

**Dates of Upcoming Meetings**

1. The dates of upcoming Board of Supervisors (July 16, 2015 and August 6, 2015) and the next Municipal Authority meeting (August 13, 2015) were announced. JSB will be absent for August meeting; SGM may be absent for August meeting.

SGM to attend BOS meeting on July 16, 2015 to provide report.

**Adjournment**

A Motion to adjourn the meeting was made by WRM, seconded by JSB. All members present were in favor. Meeting adjourned at 9:56pm.

Respectfully submitted,  
Anita Ferenz, Administrator