

**CHADDS FORD TOWNSHIP SEWER AUTHORITY**  
**MINUTES of the MEETING of OCTOBER 21, 2008**  
**Meeting No. 227**

The 227th meeting of the Chadds Ford Township Sewer Authority was held on this date in the Chadds Ford Township building.

Present: Chairman Keith Klaver, Secretary Paul Koch, Member Roland Martin, Member James Egan.

Also attending were J. Michael Sheridan, Esq., Authority solicitor; Joseph DiMatteo, Delcora foreman; Evan Andrews, Authority engineer; and Mary J. Walter, Authority asst. secretary/asst. treasurer.

Not Attending: Vice-Chairman/Treasurer Marc Altman,

Chairman Klaver called the meeting to order at 7:00 p.m.

MINUTES:

The minutes of the September 16, 2008 meeting were approved on a motion by Mr. Koch and a second by Mr. Martin. Mr. Martin noted that he would like to receive the minutes within a week of the meeting. Mr. Klaver reiterated that the plan is to have the minutes finished within one week to 10 days after the meeting; however, the asst. secretary/asst. treasurer's immediate duties after the September meeting were devoted to the Pennvest application and first billing for the Turners Mill plant.

PUBLIC COMMENT:

Joseph and John Grace of J. Grace Company addressed the Board regarding the proposed development on a nearly-20-acre site at Dilworthtown Road and Route 202 and the possibility of connecting to the Authority sewer treatment system. The estimated usage would be 20,000 to 40,000 gallons per day. Grace Company has explored options for treating the waste outside Chadds Ford Township.

Mr. Klaver noted that the Township would need to amend the Act 537 Plan. He further noted that the 40,000 gallons per day would be difficult to handle at the Turners Mill plant, given the capacity currently committed. Mr. Andrews noted that the privately-owned Knights Bridge facility has plans for its current remaining capacity as well, but the Grace Company could connect to the facility if the plant is expanded and capacity is available. There is a possibility the Grace Company could connect to Thornbury Township facility through Wawa; however, there would be to be a significant increase in sanitary sewer capacity from the connection at Wawa to the main Thornbury sanitary sewer system.

Speaking on behalf of the Chadds Ford Township Board of Supervisors, Deborah Love D'Elia said that the Board prefers that no sewage generated by a Township entity leave the Township.

**Page 2**  
**CFTSA Minutes**  
**October 21, 2008**

Mr. Klaver requested the Grace Company continue discussions with the Township, further clarify the types of buildings and the number of gallons that would be generated by the new development, and provide a plan for the collection system and related costs. He said the Board could consider expanding the Turners Mill plant, but that there would be significant financial ramifications to doing so. Mr. Andrews stated that he believes the DEP would not approve an initial expansion of 40,000 gallons.

Mr. Koch asked if a proposed collection system for the Grace Company development ran down Webb Road, would the residents of Webb Road be required to connect to the Authority system. Mr. Andrews noted that under Township ordinance, Webb Road residents would have to connect; and that the capacity generated by those residences would need to be considered. Mr. Klaver said he would prefer that a private plant not be one of the options for the Grace Company development.

DELCORA/RIDINGS WASTEWATER TREATMENT PLANT

Mr. DiMatteo reviewed his written report.

1. There were no violations for the month of September.
2. Delcora personnel are cleaning the effluent trough at least weekly due to the failure of the disc filter. Solids are passing through. The sand filter will be put back into operation to divert a low flow from the disc filter. With less flow going to the disc filter, it is hoped that the solids will not pass through.

TURNERS MILL WASTEWATER TREATMENT PLANT:

Mr. DiMatteo reviewed his written report.

1. There were no violations reported for the month of September.
2. A high level of phosphorous has been found in the influent. Phosphorus testing is done twice per month, but there is a 10-day turnaround for test results. The Board discussed possible types of users that could discharge waste with high amounts of phosphorous directly into the collection system.
3. The sand filter has been repaired. Timers are being adjusted. Additional anthracite will need to be ordered since much was wasted during the filter repair.
4. All high-level alarms and the UV system are now connected. Mr. Klaver noted that the final approved plans for the facility did not specify that communication connections needed to be made. The generator and bar screen are not yet connected.

5. Mr. Klaver advised that all checklist items are now completed. Discussions are being held with Toll Bros. regarding reimbursement for the Delcora and Pennoni costs related to the repair of the disc filter. The Authority may owe Toll Bros. for pump and haul costs for January and February 2008 for all properties other than the Estates at Chadds Ford that were discharging to the Turners Mill facility.

**ENGINEER'S REPORT:**

1. Mr. Andrews briefly reviewed Siemens response to the continued failure of the disc filter. Siemens still insists that particle size is an issue. Mr. Andrews countered that the "ripening" of the filter makes it less likely that particles should pass through. He further noted that independent testing done by the Authority indicates that the particle size at the Ridings plant is consistent with that at other SBR plants. As well, Mr. Andrews noted that Siemens agrees there are breaks in the filter, but they have no timetable for an inspection of the filter or the repairs to the filter.
2. Mr. DiMatteo pointed out that Siemens has recommended chemical process changes. The changes were recommended before by Siemens, were tried, and resulted in issues in other parameters at the plant. As well, Siemens recommended chemical additions to the floc tank previously. The process was abandoned within two weeks on Siemens order because the flow could not get through the screens due to floc buildup.
3. Mr. Andrews reported that the DEP is aware of the issues with the disc filter and has agreed to hold off on the consent order until the problems are rectified.
4. The Board is awaiting word from Siemens as to who will inspect the broken panels on the filter and when the inspection will take place.
5. The Board discussed content of a letter to be sent to Siemens addressing: the Board's continued frustration with the performance of the disc filter and its failure to perform within the specifications of the contract; the approaches outlined in Siemens recent correspondence; and the non-specific time frame of by January 2009 to resolve problems. Mr. Koch stressed that he believes it is Siemens' responsibility to inspect the filter panels so that they can be held responsible should any further damage be found or occur during the inspection. He noted that Delcora should not be expected to complete warranty work on Siemens' behalf.

At 7:55 p.m. the Board convened an Executive Session. The Board adjourned the Executive Session at 8:20 p.m. and reconvened the public meeting. Mr. Klaver announced that the Board discussed further communication with Siemens representatives.

6. Mr. Andrews reported on the request for proposal for a Ridings replacement filter. The Board discussed the bond amount for the RFP and the requirement that the specifications in the RFP will allow Ridings to meet its permit parameters. On a motion from Mr. Martin and a second by Mr. Egan, the Board authorized the assistant secretary/assistant treasurer on behalf of the secretary to advertise and distribute the bid packet for the new tertiary treatment filter as revised and execute the bid process under the guidelines of the Pennsylvania Municipal Authorities Association.
7. The Board reviewed the three bids for the biosolids hauling contract at the Ridings and Turners Mill facilities. On a motion from Mr. Egan and a second by Mr. Martin, the board awarded the contract to Aqua Wastewater Management of Bryn Mawr.
8. Mr. Andrews said the CAP/CMP has been submitted to the DEP. Dana Walker of the DEP indicated the review would be completed in approximately three weeks.
9. Mr. Andrews reported that Dutchland officials contend they are not operating the pump station at the Estates at Chadds Ford/Sunset Hill although Toll Bros. has indicated that Dutchland is operating the facility. The concern is that DEP requires the pump station be monitored and inspected on a routine basis. Both Mr. Andrews and Mr. DiMatteo noted that they believe at least weekly observation is required. Mr. Klaver reported that when a sufficient number of homes have been sold in the Estates at Chadds Ford, the ownership of the pump station and the collection system will be transferred to the Township. Mr. Klaver and the asst. secretary/asst. treasurer will draft a letter to Toll Bros. [Subsequently, discussions took place with Toll Bros. so the letter was not written.]

**SOLICITOR'S REPORT:**

1. Mr. Sheridan reported that DEP officials agreed to "hold in abeyance" the execution of the consent order based on the failure of the disc filter at the Ridings plant. The Authority agreed to report at least every 30 days to the DEP and will pre-arrange conference calls to do so. Mr. Sheridan noted that the DEP agreed to minor language changes the Board requested to the consent order.
2. Mr. Sheridan has incorporated the Board's suggested changes to the letter to be sent to the Ridings property owners who still have septic/holding tanks on their properties.
3. A new closing date has been set for the Pennvest loan. The Dept. of Community and Economic Development (DCED) has confirmed that the amount of debt to be incurred by the Township will not exceed the amount it is allowed to incur and has okayed the approval of the loan. However, Pennvest is requiring further documentation of the transfer of title of the Turners Mill plant from the Township to the CFTSA. He is working with the Township Solicitor to provide that documentation.

**TREASURER'S REPORT:**

1. Mr. Klaver noted the balance in the Ridings investment account 104 should be \$352,061.00. There will be a corresponding increase of \$250,000.00 in accounts payable account 501.
2. On the Ridings profit and loss statement, Mr. Klaver noted a \$95,498.93 loss. The loss can be partially attributable to increased engineering costs for the Part II permit and the issues related to the Ridings disc filter. Some September expenses that have not yet been recorded amount to approximately \$13,000.00, and the fines from the DEP will approach \$60,000.00.
3. The Turners Mill facility will continue to provide significant cash flow. However, the Authority owes the Township approximately \$830,000.00 for the purchase of the Turners Mill plant. That expense is not indicated in the Turners Mill financials and is expected to be paid through the proceeds of the Pennvest loan. After payment to the Township, CFTSA will have approximately \$800,000.00 in Turners Mill accounts to invest and to establish reserves. The Pennvest loan is a 20-year principal and interest amortization with the first five years at 2% and the remaining 15 years at 3%.
4. Mr. Klaver reported that the Authority can anticipate tapping fees from the new Brandywine Summit II project.
5. Mr. Egan has reached out to local banks regarding investment strategies. CFTSA investment funds with Downingtown National Bank are not subject to the \$100,000.00 limit for FDIC insurance.
6. The asst. secretary/asst. treasurer discussed the reasons for the unpaid balance for the inspection and late fees for Painters Crossing plant in 2007. At this point, the option to recover the funds would be through legal action. On a motion from Mr. Koch and a second by Mr. Klaver, the Board agreed to "write off" the balance.
7. Mr. Klaver and Mr. Altman agreed to waive the late fees on RR0089 if all user fees are paid by October 30. The property owners wanted to subdivide the property but were unable to do so.
8. On motion from Mr. Egan and a second by Mr. Koch, the Board approved the treasurer's report and the accounts payable report for the Ridings plant including: monthly bills of \$19688.27, debit card purchases of \$128.95, ACH payments for Verizon and PECO of \$1960.05, ACH payment for the Sovereign Bank loan \$6378.69, ACH interest payment for the DVRFA loan of \$315.97, net payroll of \$1453.34, payroll liabilities of \$1327.00 and QuickBooks charges of \$14.95 were approved.

**Page 6**  
**CFTSA Minutes**  
**October 21, 2008**

9. On a motion from Mr. Egan and a second by Mr. Koch, the Board approved the treasurer's report and the accounts payable report for the Turners Mill plant including bills in the amount \$9692.44. Mr. Klaver reviewed the outstanding tapping fee accounts for Turners Mill. 60-day letters have been sent to those Turners Mill property owners with outstanding tapping fee balances; the 30-day letter will be sent around November 1, with liens being placed the end of 2008.
10. Mr. Sheridan was directed to send an open balance letter to the resident of RD0004 reminding him of his payment obligation as stipulated in the judgment obtained by the Authority through a district justice action.

**OLD BUSINESS:**

1. Mr. Koch and Mr. Altman will work with Mr. Andrews to consider a possible rate study.
2. Mr. Martin reported draft information for the website has been prepared. Craftech will be contacted about costs for hosting and designing the web page.
3. The Board directed Mr. Sheridan to send a letter to the property owners of SD0005 regarding their not connecting to the Authority system. They are members of the initial group of property owners whose homes were connected to the Ridings plant. They paid the tapping fee only two years ago upon refinancing their home, and a portion of the interest/finance charges were forgiven. However, connection to the system was not a requirement of the agreement for the forgiving of the interest/finance charges. The Board authorized taking district justice action against the property owners to collect unpaid user fees if there is no payment made after Mr. Sheridan writes the letter.

**ADJOURNMENT:** The meeting was adjourned at 9:30 p.m. on a motion from Mr. Martin and a second by Mr. Egan.

Respectfully submitted,  
Mary J. Walter, Asst. Secretary/Asst. Treasurer