

CHADDS FORD TOWNSHIP SEWER AUTHORITY
MINUTES of the MEETING of DECEMBER 16, 2008
Meeting No. 229

The 229th meeting of the Chadds Ford Township Sewer Authority was held on this date in the Chadds Ford Township building.

Present: Chairman Keith Klaver, Vice-Chairman Marc Altman, Secretary Paul Koch, and Member Roland Martin.

Also attending were Garry Paul, Board of Supervisors' liaison to the Authority; 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: Treasurer James Egan

Chairman Klaver called the meeting to order at 7:10 p.m.

ANNOUNCEMENTS:

1. Mr. Altman, Mr. Klaver and Mr. Martin met with Hilltown Sewer & Water Authority to tour their plant and to inspect their tertiary filter system.
2. Several Board members and the Solicitor held an informational meeting earlier today to discuss the Ridings disc filter.

MINUTES:

The minutes of the November 16, 2008 meeting were approved on a motion by Mr. Altman and a second by Mr. Martin.

PUBLIC COMMENT: NONE

DELCORA/RIDINGS WASTEWATER TREATMENT PLANT

Mr. DiMatteo reviewed his written report.

1. There were no violations for the month of November 2008.
2. Mr. DiMatteo reported that there was higher than normal rainfall, including approximately 3 inches during one day, which has increased the gallons per day average for November.
3. The sand filter, which is handling about 25% of the plant flow, and disc filter were both operating for the whole month. The disc filter and the sand filter are being operated simultaneously to achieve effluent compliance in Total Suspended Solids.
4. Siemens representatives replaced all 42 panels on the disc filter on November 12. Two weeks later, solids again were accumulating in the effluent trough. Mr. DiMatteo reported that the new panels were reinforced with stainless steel. The stainless steel broke away from approximately half of the panels and clogged the disc filter.

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5. Siemens' technicians were on-site again as of the meeting date to further inspect and repair the disc filter and install associated equipment. The disc filter currently is disassembled and is not processing flows; consequently, the sand filter is running inefficiently and clogging due to handling the higher flows. The Board discussed Siemens' proposed timetable for the repairs to the disc filter and the schedule's impact on plant operations.

DELCORA/TURNERS MILL WASTEWATER TREATMENT PLANT:

Mr. DiMatteo reviewed his written report.

1. There were no violations reported for the month of November.
2. The #2 anoxic mixer has repeatedly failed under high amperage. It has been sent out for service five times. A service representative from Flygt was on-site to inspect the mixer. Flygt sent the unit out for a static test and a problem with the motor was identified. The unit was repaired and returned and will be re-installed shortly.

ENGINEER'S REPORT:

1. Pennoni engineers inspected the grease traps at Brandywine Prime and Brandywine Bistro. They also observed operation of the existing tank at the Chadds Ford Barn Shoppes and approved its use for a grinder pump.
2. The preliminary design of the screening and equalization system is complete. The project will require expansion of the plant electrical system. A cost analysis is being prepared for the Board. Mr. Andrews reviewed the operation of the proposed system.
3. Mr. Andrews reviewed the DEP's comments on the CAP/CMP. The report must be resubmitted with clarifications that will highlight the peak flows during all storms with more than one inch of rain. As well, the DEP also is requiring the following as part of the CAP/CMP: 1) one full year of flow metering at the three Ridings development locations metered previously; 2) reports at six and 12 months summarizing the Ridings locations' flow data and any corrective action taken or needed; 3) a pump test that provides an accurate measurement rather than an estimate of the flows handled by the Woodland Drive pump station. He noted DEP might consider requiring permanent flow monitoring into pump stations to determine peak influent flow rates. At present, DEP Guidelines only recommend flow metering at the discharge end of the pump stations.
4. Mr. Andrews reviewed the bids received for the tertiary filter system at the Ridings plant. It was recommended that, if the Board elects to replace the Siemens disc filter, they accept the bid for a new system from Aqua-Aerobics for \$153,361.00. Additional costs of approximately \$150,000.00 will be incurred for labor for installation, electrical power, piping, and a heated indoor installation site. Approval of site drawings and fabrication would take approximately 20 weeks.

5. The Board reviewed Siemens' December 12, 2008 letter, and commended Siemens for their prompt response to the latest situation with the disc filter. The Board specifically discussed the proposed performance and maintenance warranties. The Board noted the disc filter's previous inadequate performance and the uncertainty with its performance under differing weather and peak flow conditions. The Board further considered what testing procedures they may propose to Siemens to insure that the disc filter's future performance will meet the original contract specifications.

Mr. Klaver summarized the Board's response to the letter and terms for negotiation with Siemens' representatives: 1) Siemens must complete the installation of the refabricated disc filter panels; 2) Siemens must continue to agree to the performance criteria outlined in the original terms of sale; 3) Siemens must be willing to negotiate a performance warranty period longer than the 90 days proposed in the letter, preferably to six months; 4) Siemens must agree to a change from the original terms of sale and extend the mechanical warranty from three years from the date of acceptance to no less than three years from the date when the plant achieves approximately 80% to 90% of its capacity, with conditions in place for the expiration of the warranty if the plant does not achieve the above capacity within five years; 5) Siemens must agree to reimburse the Authority for specific engineering and other costs related to the disc filter, as well as for DEP fines incurred in 2008; 6) as related to the DEP consent order, if there are penalties attributable to the failure of the disc filter during the performance warranty period, Siemens would be expected to cover the costs of those penalties; 7) Siemens would be expected to have a full replacement set of the refabricated filter panels readily accessible.

Mr. Martin and Mr. Koch both stressed that the above conditions are needed to instill confidence in the Board so that the business relationship with Siemens can be continued.

On a motion from Mr. Altman and a second by Mr. Klaver, the Board authorized Mr. Klaver and Mr. Martin to negotiate with Siemens representatives at the Thursday meeting, with Mr. Andrews providing technical support, regarding the 40X disc filter based on the terms discussed at this meeting and the original terms of sale from August 31, 2007.

SOLICITOR'S REPORT:

1. Mr. Sheridan and Mr. Klaver held their monthly phone call with DEP representatives after the Board's November meeting. Concern was expressed as to what path the Board was pursuing about the disc filter. During the phone call with the DEP officials tomorrow, Mr. Sheridan will suggest that DEP be contacted again after the Thursday meeting with Siemens' representatives. Mr. Klaver noted that the Authority may need to request an extension of the date for the installation of the disc filter in the CO&A, but he expects that the order will need to be signed no later than January 2009.

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2. The closing for the Pennvest loan is December 18.
3. Mr. Sheridan has received draft agreements from Calvary Chapel concerning capacity reservation for the Turners Mill plant, subject to the Board of Supervisors' amending the Act 537 plan.
4. Mr. Sheridan sent a letter to the resident of HR0205 about what action has been taken to resolve the estate issue and to insure payment of the fees payable to the Authority. A lien previously was placed on the property. A District Justice action could be considered.
5. The RD004 judgment was filed with the office of the court and a debtor's deposition has been scheduled.
6. Mr. Sheridan noted that a District Justice action can be taken only for collection matters, and that the District Justice cannot require connection to the collection system. Seeking injunctive relief through the Court of Common Pleas would be necessary to force a connection.
7. Mr. Paul noted that the three Tremonte properties are expected to be sold by year-end.

TREASURER'S REPORT:

1. The Board reviewed the list of users of the Turners Mill plant who have not paid their tapping fees in full. They all have been mailed 30-day letters dated December 1. On a motion from Mr. Altman and a second by Mr. Martin, the Board authorized Mr. Sheridan on or as soon as practical after December 31, 2008 to place liens on the properties identified on the customer balance summary dated November 30, 2008.
2. Mr. Altman and Mr. Egan met with the insurance broker to discuss coverages for 2009.
3. On motion from Mr. Altman and a second by Mr. Martin, the Board approved the treasurer's report and the accounts payable report for the Ridings plant including: monthly bills of \$9446.35, debit card purchases of \$315.66, ACH payments for Verizon and PECO of \$1967.94, ACH payment for the Sovereign Bank loan \$6378.69, ACH interest payment for the DVRFA loan of \$742.32, net payroll of \$1235.00, and QuickBooks charges of \$55.95 were approved.
4. On a motion from Mr. Altman and a second by Mr. Martin, the Board approved the treasurer's report and the accounts payable report for the Turners Mill plant including bills in the amount \$7343.46, Quickbooks cost of \$19.90.
5. Mr. Klaver noted that the acquisition of the Turners Mill plant is now recorded on the balance sheet. The Authority owes the Township \$838,000.00, which will be paid through the Pennvest loan. The remainder of the loan funds will be used for future capital expenditure, operating reserves, and other funding requirements of the Authority."

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OLD BUSINESS:

1. Mr. Martin noted that a new version of the website is ready for review and comment. On a motion from Mr. Klaver and a second by Koch, the Board authorized Mr. Martin to make the appropriate links to the Township website to launch the Authority website.
2. The Authority is awaiting a response from Toll Brothers about the financial settlement for Turners Mill.
3. Mr. Altman and Mr. Koch will meet with Mr. Andrews in January 2009 to discuss the rate study. The study is expected to be completed by March 2009. The Board briefly reviewed sewer rates of other area authorities and those published in last rate study conducted by Spotts Stevens McCoy on behalf of the Authority.
4. Mr. Klaver urged the Board to reach out to members of the community who may want to be involved in specific projects.

ADJOURNMENT: The meeting was adjourned at 9:44 p.m. on a motion from Mr. Koch and a second by Mr. Martin.

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