

**CHADDS FORD TOWNSHIP SEWER AUTHORITY**  
**MINUTES of the MEETING of APRIL 21, 2009**  
**Meeting No. 234**

The 234<sup>th</sup> 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 Roland Martin, Treasurer Jim Egan and Secretary Amanda Konyk.

Also attending were J. Michael Sheridan, Esq., Authority solicitor; Joseph DiMatteo, Delcora foreman; Evan Andrews, Authority engineer; Joseph Barakat and Valerie Hoxter.

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

ANNOUNCEMENTS

1. Klaver announced that he, Konyk and Martin met with Supervisor Paul and Andrews on Friday, 4/17/09 prior to their meeting with the DEP.
2. Klaver announced to all that Joe Barakat (newly named Township Manager) will also be working with the Authority as Sewer Authority Administrator.

MINUTES

1. Upon motion and second (Konyk/Egan) the Board unanimously approved the minutes of the special meeting of March 6, 2009.
2. Upon motion and second (Egan/Konyk) the Board unanimously approved the minutes of the meeting of March 17, 2009.

PUBLIC COMMENT

1. Klaver introduced Lou Novakis (owner of Springwater Plaza, Route 202) who was in attendance to discuss connecting to public sewer. He has contacted Concord Township, who has indicated they would accommodate Mr. Novakis with connection to sewer upon approval of Chadds Ford. After discussion by the Board, Klaver asked Mr. Novakis to work with Barakat to approach the Board of Supervisors to do a 537 Plan Amendment. Klaver also asked Andrews to work with Mr. Novakis to review the viability of bringing the Plaza into the Ridings plant, taking into account that the Plaza may contain restaurants in the future. Klaver also mentioned that the Board would review the Plaza property and the residence to calculate a tapping fee. The Board requested an escrow in the amount of no more than \$1,000 to cover any costs incurred.

DELCORA/RIDINGS WASTEWATER TREATMENT PLANT

1. See attached report from Delcora.
2. There was a CBOD exceedance in early March, which was likely the result of added nitrifiers and seeding the week before in an attempt to bring ammonia levels into compliance. DiMatteo reported that April looks good to date. Monthly wastewater treatment averaged 34,900 gallons per day.

DELCORA/TURNERS MILL WASTEWATER TREATMENT PLANT

1. See attached report from Delcora.

2. There were no violations reported for the month of March 2009. Monthly wastewater treatment averaged 39,200 gallons per day.
3. Klaver asked Andrews to contact Dutchland to set up the overdue meeting with them to look at the filter. Martin will attend as the representative from the Board.

#### MEETING WITH DEP ON RIDINGS ALTERNATIVE

1. At Klaver's request, Konyk reviewed the favorable meeting held with the DEP on 4/17/09, at which the alternative of converting Ridings plant to a pump station was discussed. Andrews informed all that DEP wants to start the process immediately and that the Board must submit a plan of study, along with a milestone schedule and Part II Permits for conversion of Ridings and improvements to the Estates at Chadds Ford's pump station. These items must be submitted to the DEP by the end of July 2009. The Supervisors must adopt the special study by resolution before it can go to the DEP. After discussion, and review of the timeline developed by Andrews, Sheridan concluded that the Supervisors would have to approve the proposed change to the 537 Plan before it could go out for public comment, and that this approval will have to be done at the June 3<sup>rd</sup> Board of Supervisors meeting. Klaver asked Barakat to add it to the Supervisors' agenda.
2. Klaver asked Andrews for planning estimates, which are not to be considered contractual bid amounts. Andrews indicated the numbers for pump station and equalization at Ridings and a pump change at the Estates at Chadds Ford would be approximately \$400,000. The number budgeted for the planning study is \$25,800; which includes Andrews' time and several hours for the Solicitor. There will also be +/- \$40,000 in design fees, and Part II Application filing fee of \$500. Total estimated costs at this time are \$465,000 – \$500,000. The preliminary estimate for 75,000 gallon, 1 train expansion for Turner's Mill plant is \$1 million, which includes revision to existing screening. At Klaver's request, Andrews will provide cost estimates for other expansion options (100,000 gallons; 2 trains, etc.).
3. After discussion of the possibility of recovery of capital costs to maintain the Ridings plant vs. converting the plant to a pump station, Klaver concluded that, in his opinion, the conversion is the fiducially sound decision. Konyk agreed, and indicated she was grateful it was an option made available to the Board before moving ahead with the capital program of over \$800,000 required as a result of the DEP Consent Order. Egan estimated the savings of conversion to be approximately \$100,000 annually in operating costs. Martin agreed that consolidation of our sewer plant will simplify operation but did not consider that a valid justification for a major additional expense. Martin expressed concern over how this change could affect the Authority's grant application. Konyk replied that the application is amendable, but noted that she has been informed there are few grants being given this year due to budget constraints. Sheridan informed all this decision requires approval and acceptance by the Township as well as the Authority; therefore, the Board of Supervisors must approve this path prior to the expiration of the Aqua Aerobics bid. In addition, Andrews requires approval by the Supervisors on the task activity report budget (\$25,800) in order to move forward.
4. After further discussion of the financial aspects of the change as proposed, Klaver called for a motion. Egan introduced a motion to ratify the prior actions (including meeting

with the DEP) of Supervisor Paul, representatives of the Board, and Andrews regarding this alternative approach to Ridings and the plan proposed. The motion further authorized: Andrews to proceed in an expedited manner according to the special study milestone schedule as provided to the Board at this meeting; Klaver to sign any reports on behalf of the Board as required by the end of April; and Barakat to take the necessary actions with the Board of Supervisors to pursue the milestones as indicated in the schedule provided at this meeting. Upon second by Konyk, the motion carried with one abstention by Martin. In response to a question, Martin indicated his additional concern that the elimination of the Ridings plant could leave us with not enough capacity to serve the township's future needs.

5. Klaver asked Barakat to have the Township's Engineer (Mastronardo) and Supervisor Paul contact Toll Brothers regarding the proposed Ridings conversion plan as they own the Estates pump station and all of the lines. The Authority will need to obtain their permission and an easement along the common property.
6. Upon motion and second (Egan/Konyk) the Board unanimously agreed to reverse their previous decision and reject the Aqua Aerobics disk filter bid based upon the Board's decision during this meeting to accept the DEP's approach to convert Ridings from a plant to a pump station.
7. Klaver will contact Siemens to discuss the Board's plans regarding the Ridings conversion.
8. Andrews requested (and the Board granted) approval to provide recent performance data to Siemens. Klaver asked that he highlight the following: effective in early March, Delcora started the sand filter; Delcora has been cleaning solids from the disk filter on a weekly basis since early February; and it is clear that the performance requirements of the Siemens contract have not been met.

#### ENGINEER'S REPORT

1. See attached report from Pennoni.
2. Calvary Church may have worked out an arrangement with Henderson for capacity at Knight's Bridge. Therefore, they may not come to Turners Mill, as previously discussed.
3. Upon motion and second (Klaver/Egan) the Board unanimously rescinded their previous authorization of a Jet Tech review, given the decision made at this meeting regarding the Ridings conversion.
4. Barakat informed all that during the meeting with the DEP, they indicated that the Township should be involved in private plants. Klaver asked Sheridan to review possible requirements and report to the Board at the next meeting.

#### SOLICITOR'S REPORT

1. Sheridan informed the Board there is a hearing coming before Judge Capelli on Tuesday 5/26/09 regarding a customer claim. Hoxter will attend on behalf of the Authority if possible. If not, a Board member will attend.

#### TREASURER'S REPORT

1. Egan reviewed the Cash Flow Statement. In summary, he advised that given what is anticipated with upgrades to Turners Mill, the Board needs to look at alternative sources of funding the Sewer Authority over the next couple of years, particularly the cost of constructing the expansion of the Turners Mill plant.
2. Egan proposed paying down the Sovereign loan by \$500,000 which would allow the Authority to pay off the loan in approximately three years. Klaver clarified that making the Sovereign loan payment would still allow the Authority to maintain operations, as well as to fund the capital costs for the pump station at the current estimation of approximately \$500,000. Egan also proposed investing \$500,000 of available cash funds in a five-year CD yielding approximately 3.4% with DNB Bank. Upon motion and second (Egan/Konyk) the Board unanimously approved the \$500,000 advance loan payment to Sovereign Bank, as well the \$500,000 five-year CD yielding approximately 3.4% with DNB. Egan clarified that the DNB investment will be Act 72 compliant, and can be terminated without penalty.
3. Egan informed all that bills presented for payment included two months' bills for the Engineer (Pennoni), as well as all insurance renewals for the year. Upon motion and second (Egan/Konyk) the Board unanimously approved the payment of bills in the amount of \$95,197.06 through the issuance of checks, debit and automatic account withdrawals.
4. As indicated in previous meetings, Klaver stated that the Supervisors have suggested the Authority share a portion of the costs associated with the Township Manager's salary package in exchange for Barakat providing the Sewer Authority with his services as needed. While the role will evolve, Klaver anticipates Barakat will add tremendous value in taking on various responsibilities that, until now, the Board has relied on its experts to handle. Upon motion and second (Klaver/Egan) the Board unanimously approved a yearly payment of 10% of Barakat's annual salary and benefits (approximately \$9,000) to the township.

#### OLD BUSINESS

1. Klaver discussed pending lien actions.
2. Klaver suggested deferring further rate study discussion until there is better understanding of the implication of the decision to convert Ridings to a pump station.
3. Klaver informed all that Delcora has received a Safe Water Grant of \$400,000 and has asked the Board to participate on their Steering Committee to review how to utilize the grant. Konyk will participate on behalf of the Board.
4. Klaver reviewed Toll Brothers' past DEP violations, which occurred before the Township took over the plant. The DEP has informed Klaver they have decided to take action against the effective owner at the time of the violations (Toll Brothers), as opposed to the permit holder (the township). At the time, Toll Brothers was operating the plant with Dutchland.

#### NEW BUSINESS

1. Klaver reviewed a request from Mr. Richard Cain (Creek Road) to eliminate one of the two user fees currently charged for his property. After discussion, the Board rejected Mr. Cain's request.

ADJOURNMENT

Upon a motion by Egan and a second by Konyk, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,  
Valerie Hoxter  
Assistant Secretary/Assistant Treasurer