

**Newlin Township
Board of Supervisors
Meeting Minutes
November 11, 2024**

Call to Order: The Board of Supervisors' monthly meeting convened at 7:30 p.m. on Monday, November 11, 2024, at the Township Garage located at 1751 Embreeville Road. Present were Supervisors Bill Kelsall (Chair), Jim Cornell (Vice-Chair), Bob Pearson and Secretary/Treasurer Gail Abel.

Announcements: Mr. Kelsall reported that the Township had finally received FEMA funds for damages from Hurricane Ida in 2021. He also noted the current drought conditions and Chester County's notification of Countywide Open Burn Ban that will extend until at least November 24, 2024. This notice has been posted on the Township website.

Comments: Erica Lee advised that she was recording the meeting. Mr. Pearson noted that November 11 is Veterans Day. He paid his respects to anyone at the meeting who has served in the US Armed Forces and thanked the many Americans who have served in the United States military.

Minutes for Approval: Ms. Abel presented the minutes of the October 14, 2024, Board Meeting. Mr. Pearson's motion to approve those minutes was seconded by Mr. Cornell and unanimously approved. Also presented were the minutes from the October 23, 2024, budget work session. Mr. Pearson's motion to approve those minutes was seconded by Mr. Cornell and unanimously approved.

Financial Report: Ms. Abel presented the monthly Financial Report: As of October 31, 2024, the Township had \$750,595.26 on deposit, including \$446,794.72 in general and unrestricted funds. Overall, this represented a net increase of \$78,121.30 since September 30, 2024. Mr. Pearson's motion to accept the Financial Report was seconded by Mr. Cornell and unanimously approved.

Bill Payment Authorization: Ms. Abel presented a list of pending bills, invoices, and other recurring/routine payments totaling \$35,947.37 from the General Fund Account and requested payment authorization. Mr. Pearson's motion to approve the requested payments was seconded by Mr. Cornell and unanimously approved.

Strasburg Landfill Update: Mr. Kelsall announced that three representatives from the U.S. Environmental Protection Agency ("EPA") Region III were in attendance to provide an update on the Strasburg Landfill superfund site (the "Landfill"): David Greaves (Remedial Project Manager), Katie Mishkin (Section Chief) and Akudo Ejelonu (Community Involvement Coordinator).

Mr. Cornell noted that at the October monthly meeting a resident stated that there is a two-year statute of limitations for claims against EPA relating to Per- and Polyfluoroalkyl Substances ("PFAS"). He clarified that the Federal "Superfund" statute does not explicitly provide for lawsuits against EPA. Instead, it provides a three-year statute of limitations for claims against "potentially responsible parties".

Mr. Greaves advised that in April 2024, EPA had established Maximum Contamination Levels (“MCLs”) for PFAS at levels lower than the MCLs previously established by Pennsylvania’s Department of Environmental Protection (“PADEP”); that EPA had received preliminary results from a second round of testing in August 2024; that these results showed that 13 homes near the Landfill had PFAS concentrations above EPA’s new MCLs; that PADEP has provided Culligan ZeroWater Pitchers (“10-Cup Ready-Pour Pitcher”) to nine of the affected residences; and that ZeroWater Pitchers would be delivered in the near future to the four remaining residences.

Mr. Greaves stressed that the pitcher system is just a temporary measure, not the final end game: EPA is currently evaluating alternatives to provide a permanent solution, including “point of entry” treatment systems for each affected residence or a public waterline extension to the area. The implementation timeframe will depend on which remedy is selected. The design and construction of a public water line could take several years, whereas “point of entry” treatment systems could be provided three to five months after a final decision. EPA expects to conduct a public meeting in March or April 2025 so that residents can express their views on either remedial alternative. EPA will take those views into account in preparing a Record of Decision (“ROD”) that will document which alternative will be implemented. The ROD is expected to be completed by June 2025

Those in attendance had the opportunity to ask questions of EPA.

Mr. Cornell asked to be informed when ZeroWater pitchers have been delivered to the remaining four residences. He noted that said this was the second time DEP has delayed delivery of the pitchers. He also asked how frequently private wells will be re-tested. Mr. Greaves advised that the next set of tests would be conducted early in 2025 but did not specify the frequency of testing after that.

Mr. Cornell also inquired whether PADEP would be providing replacement filters for the ZeroWater pitchers. Mr. Greaves advised that the pitchers were being with a supply of filters sufficient to last through June 2025.

In response to additional questions from Mr. Cornell, Mr. Greaves clarified that the public water solution could be implemented within two years from the date of the ROD, whereas the point of entry solution could be available three to five months after the ROD; and confirmed that EPA will be testing Brandywine Creek for PFAS.

Mr. Pearson asked whether Pennsylvania’s State Game Commission (“PGC”) has been notified of the Landfill’s PFAS discharges. He noted that the Maine Game Commission has announced that because of PFAS in that state, venison should not be consumed. Erica Lee advised that she had notified the PGC of the PFAS problem. Mr. Pearson also encouraged all in attendance to ask for public water as the permanent solution. He asked EPA to include the Township in its discussions with Aqua Pennsylvania (which is the public water supplier in the area).

Mr. Pearson also advised that in October the Supervisors had participated in a meeting at the Landfill with EPA, PADEP and Congressional Representative Chrissy Houlihan.

Mr. Pearson thanked everyone for attending, including EPA. He asked that Mr. Greaves and Ms. Mishkin convey the urgency of the PFAS problem, stressing, “There is a quality of life issue here and you need to address it.”

Local Share Account Statewide Grant Application: Mr. Pearson advised that the Township is applying to the Commonwealth Financial Authority for a Statewide Local Share Assessment Grant of \$200,000 for the purchase of a new Boom Mowing Machine for use in roadside vegetation maintenance. He noted that this was the same type of grant that was awarded for the Township's existing backhoe (purchased in 2023). The new mower would replace a 42-year-old Mower purchased in 2000, which has reached the end of its life. Mr. Pearson's motion to adopt Resolution 2024-06 (detailing the Grant application), to authorize payment of the \$100 application fee, and to designate Gail Abel and Robert Mastrippolito as the officials authorized to execute all documents and agreements between the Township and the Commonwealth, was seconded by Mr. Cornell and unanimously approved.

Road Master Update: Mr. Pearson advised that although the long-awaited FEMA funds are now in hand, it is probably too late in the season to complete the Marlboro Springs Road project in 2024.

Proposed Budget: Mr. Kelsall briefly summarized the proposed 2025 Budget (copies of which had been made available to those in attendance) and advised that it would be on the agenda for approval at the Board's December meeting. He added that the Budget would be balanced without any increase in taxes for the 2025. Mr. Cornell noted that the budget provided for funds already in place in the Township's restricted Fire & EMS account would be applied to fund \$84,000. of 2025 fire expenses and \$60,000. of 2025 EMS expenses. Mr. Kelsall observed that within the next few years a tax increase will be required in order to keep up with fire and EMS expenditure increases. There being no questions or comments from those attending, Mr. Pearson's motion to approve public advertisement of the proposed 2025 Budget was seconded by Mr. Cornell and unanimously approved.

Adjournment: Upon Mr. Pearson's motion, seconded by Mr. Cornell, the meeting was adjourned.

Time: 8:52 pm

Respectfully Submitted,
Gail Abel, Secretary



A handwritten signature in cursive script, appearing to read 'Gail Abel', is written over a faint circular seal or stamp.