

**Newlin Township
Board of Supervisors
Meeting Minutes
February 12, 2024**

Call to Order: The Board of Supervisors' monthly meeting convened at 7:30 p.m. on Monday, February 12, 2024, at the Township Garage located at 1751 Embreeville Road. Present were Supervisors Bill Kelsall (Chair), Jim Cornell (Vice-Chair) and Secretary/Treasurer Gail Abel. Bob Pearson was unable to attend.

Announcements: Mr. Kelsall announced that on February 5, 2024, the Pennsylvania Department of Environmental Protection ("DEP") had once again granted Newlin Township a five-year waiver exempting the Township from the Municipal Separate Storm Sewer System ("MS4") permitting requirements under the National Pollutant Discharge Elimination System.

He thanked Beth Uhler, Pennsylvania Director of the Center for Watershed Protection, Inc., Township Engineer Jim Fritsch, and Supervisor Bob Pearson for their successful efforts in working with DEP to obtain the waiver, thereby avoiding considerable permitting expenses.

Comments: Richard Mitchell advised that on January 14th there was a fire at the vacated portion of Laurel Road near, involving quite a few fire trucks and burning around five acres of forest. He voiced concern that because of the "vacated" status of the road, the fire trucks had been unable to reach the burning area. Jack Law, both a Township resident and Fire Chief for West Bradford Fire Company ("WBFC"), advised that Modena Fire Company ("MFC") had been "first call" on that fire and had called in WBFC and other fire companies for mutual aid. The forest fire was caused by a PECO transformer that had caught fire. He confirmed that there had been access issues, but that eventually the fire trucks had gained access through the Township's property adjacent to Laurel Road. He noted that MFC fire trucks had in fact been able to enter the vacated portion of Laurel Road but cautioned that he did not consider that portion of Laurel Road to be safe for fire trucks.

Mr. Mitchell also inquired if the Township could adopt an Ordinance that states if you cut one tree down you should be required to plant two trees. Mr. Kelsall responded that the Township does not have the staff to enforce such an ordinance.

Erin Finnerty advised that there is still no stop sign at the Ridings Way. Mr. Kelsall advised that he expected installation in the near future.

Robert Hrubiec asked how and when minutes of Supervisors' meetings become available. Mr. Kelsall explained that before each Supervisors' meeting, the Township Secretary provides the Supervisors with a draft of the minutes of the previous meeting. If the Supervisors then approve that draft, the final version is then promptly posted on the Township's website.

Minutes for Approval: Ms. Abel presented the minutes of the January 8, 2024, Board Meeting. Mr. Cornell's motion to approve those minutes was seconded by Mr. Kelsall and unanimously approved.

Financial Report: Ms. Abel presented the monthly Financial Report: As of January 31, 2024, the Township had \$457,849.52 on deposit, including \$155,668.90 in general and unrestricted funds. Overall, this represents a net decrease of \$172,703.71 since December 31, 2023. Mr. Cornell's motion to accept the Financial Report was seconded by Mr. Kelsall and unanimously approved.

Bill Payment Authorization: Ms. Abel presented a list of pending bills, invoices, and other recurring/routine payments totaling \$77,521.00 (\$55,545.31 from the General Fund Account, \$10,788.00 from the Open Space Tax Account and \$11,187.69 from the State Liquid Fuel Account) and requested payment authorization. Mr. Cornell's motion to approve the requested payments was seconded by Mr. Kelsall and unanimously approved.

Strasburg Landfill Update: Environmental Protection Agency ("EPA") representatives Brad White (Senior Remedial Project Manager) and David Greaves (Life Scientist Remedial Project Manager, Superfund Emergency Management Cleanup Division) were present, following up on their presentation at the Supervisors' December 2023 meeting. Mr. Greaves reported that EPA had completed residential sampling of 33 homes close to the Strasburg Landfill Superfund site (the "Landfill") in December, that only two of those homes had levels of PFAS (per-and polyfluoroalkyl substances) above DEP's published limits for safe drinking water, and that DEP had promptly begun providing bottled water to those two homes. He advised that EPA had also completed sampling at the Landfill itself in January 2024 and the resulting data together with the residential data are currently under review by the EPA's technical team in order to determine next steps. Once that review is complete, EPA will send out official letters to each resident whose home was sampled, documenting validated test results.

Erica Lee inquired when those official letters can be expected. Mr. Greaves estimated about three weeks. Mr. White said that overall, the preliminary data was "good news" since there is not a widespread problem, and that the two most affected homes that had levels of PFAS just slightly over the DEP's safety limits. Erin Finnerty asked if there will be annual testing. Mr. Greaves advised that EPA expects to conduct another round of residential sampling in the Spring or Summer of 2024 to see if there any seasonal changes in the data, but that after that any further testing would depend on the data received.

Mr. Cornell asked if there are any concerns that PFAS is getting into Brandywine Creek. Mr. White said that the samples from Briar's Run (a minor Brandywine Creek tributary near the landfill) had very low PFAS levels.

Mr. Hrubiec inquired whether it would be possible to get copies of the consent agreements between the EPA and the companies that had been dumping. Mr. White offered to show Mr. Hrubiec where he can find the information on EPA's website.

Mr. Kelsall thanked EPA for its promptness and professionalism.

Potential Grant Application: Barbara Forney requested that the Supervisors consider applying for a grant from the American Rescue Plan Act Capital Projects Fund Multi-Purpose Community Facilities Program. She explained that this is a Federal grant, no Township matching funds would be required, the grant must be for at least \$250,000 and the application must be submitted

by March 31. She identified the following possible projects:

- Replace the existing salt shed with a new 40' X30" salt shed
- Shelter (with solar panels) over the gas pumps
- Electric HVAC system for the shop and office
- Propane backup generator system.

After discussion Messrs. Kelsall and Mr. Cornell encouraged Ms. Forney to submit the application – including all four projects before the March 31 deadline.

Road Master Update: In light of Mr. Pearson's unavailability, Mr. Kelsall asked Ms. Forney, as Assistant Road Master, for an update on the roads. Ms. Forney advised that on January 31 she, Mr. Pearson and Rob Mastrippolito had met with Mr. Angel Rosada, a Specialist with the Federal Emergency Management Agency ("FEMA") to provide additional details for a possible reimbursement for damage sustained during Hurricane Ida. No timetable for such reimbursement had been established.

Finally, Ms. Forney advised that Mr. Pearson has asked Township Engineer Jim Fritsch to provide engineering drawings to replace the pipe and culvert for Station Creek (also known as Briar's Run) at Laurel Road, and that in the Summer of 2024, when the ground is drier, the Township will also be removing the bamboo along Laurel.

Harveys Bridge Road Proposed Improvements: Ms. Forney advised that in conjunction with Chester County's Harveys Bridge replacement project (which the County presented at the Supervisors' December 2023 meeting), the Road Master has asked Township Engineer Jim Fritsch to design safety improvements to the Township-owned approaches to Harveys Bridge. Those approach improvements include raising the roadway profile, widening the roadway, and adding guiderails. Mr. Pearson and Mr. Fritsch will be working with Chester County to ensure that the Township's approach improvements are properly coordinated with the County's bridge replacement project.

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

Time: 8:10 p.m.

Respectfully Submitted,
Gail Abel, Secretary

