

**Newlin Township
Board of Supervisors
Meeting Minutes**

July 10, 2017

Call to Order: The monthly Board of Supervisors' meeting of Monday, July 10, 2017, convened at 8:00 p.m. at the Lenfest Center, Cannery Road, Coatesville, PA. Present were Chair, Janie Baird, Bill Kelsall, Bob Pearson, and Secretary, Gail Abel

Announcement Period: Janie Baird announced there will be an executive session immediately following tonight's meeting for a personnel discussion.

Janie Baird noted that Lieutenant Donahue from the Pa State Police was present. Lieutenant Donohue introduced himself. He is currently serving at the Embreeville barracks. He stated that the township is a safe township and has the lowest calls in the area. He also announced if anyone ever has any suspicious situations to never hesitate to the call the barracks.

Comment Period: No Public Comments.

Minutes: The minutes of the Board of Supervisors' meeting, held on Monday, June 12, 2017 were read and reviewed. Bob Pearson made a motion to accept the minutes, seconded by Bill Kelsall and the vote was unanimous.

Minutes from the Joint Work session, regarding MS4/TMDL requirements, of the Board of Supervisors and Planning Commission held on Wednesday, May 24th were read and reviewed. Bob Pearson made a motion to accept the minutes, seconded by Bill Kelsall and the vote was unanimous.

Financial Report: Read by Gail Abel. Bill Kelsall made a motion to approve the financial report, seconded by Bob Pearson and the vote was unanimous.

Emergency Services:

West Bradford Fire Company: May report was received, 31 total calls, 0 in Newlin,

Modena Fire Company: June report was received, 77 total calls, 0 in Newlin.

Po Mar Lin Fire Company: Steve Nuse provided a six-month report, 141 total calls, 19 in Newlin.

Good Fellowship Ambulance: June report was received showing 4 calls in Newlin.

Longwood Ambulance: report not received

Right to Know Requests: The Township had zero right to know requests since the last meeting.

Solicitor Appointment: Janie Baird announced a letter was received from John Good, Esq. dated June 27th stating that John is retiring by the end of August and sooner if a replacement is appointed.

Janie Baird noted appreciation for John Good's service. His information and knowledge through the years has been invaluable. He will be greatly missed. Janie Baird made a motion to appoint Kristin Camp, Esq. as the Township Solicitor to replace John Good; Bob Pearson seconded and the vote was unanimous.

PUBLIC HEARING

Janie Baird opened the Public Hearing on the Flood Plain Ordinance. The Hearing was advertised on June 19th & 26th and made available for review. Kristin Camp, Esq. was in attendance. Kristin announced the floodplain maps were updated, therefore an ordinance needed to be adopted. DCED contracted with a consultant who provided a model ordinance. Kim Venzie from Kristin Camp's office and Beth Uhler from Cedarville were the township's liaisons with the consultant and Newlin's Planning Commission. A letter of recommendation for adoption was received from Chester County Planning Commission dated June 12th and Newlin's Planning Commission Board also reviewed and recommended adoption.

Bob Pearson made a motion to adopt Ordinance 2017-03 Flood Plain Ordinance and commented this is another unfunded mandate by government for local municipalities to absorb. Bill Kelsall seconded and the vote was unanimous.

Hearing KARF & EMS:

Bennett Baird provided a summary of the Regional F&EMS Commission. He recognized Chief Jack Law from West Bradford, Chief Stephen Nuse from Po Mar Lin and Trustee Jeff Groves who were in attendance.

Newlin Township and 5 other Municipalities have been working together for most of 2 years to see if a Regional structure could be put in place to better manage delivery of F&EMS services: the 5 other Municipalities are East Marlborough, Kennett Borough, Kennett Township, Pennsbury, and Pocopson. This Kennett F&EMS Region will include that area of Newlin south of Brandywine Creek, now served by PML & LWFC.....about 65% of the Township. Kennett Fire Company will continue to provide F&EMS service to the other Municipalities but as part of the new Region, along with PML and LWFC.

The next step is for the Boards of Supervisors of each Municipality to approve an Inter-Municipal Cooperation Agreement to form a Regional F&EMS Commission, along with appropriate By-Laws and Articles of Incorporation. This requires passage of the enabling ordinance that is the subject of this Hearing.

Commitment to this Kennett F&EMS Region is for 3 years, then renewed annually unless we choose to withdraw (6 months notice). The Commission will hire a Regional F&EMS Administrator early next year - either full or part-time.

The annual budget for this Regional F&EMS Service will be shared by the Municipalities according to a share formula based on Population, Assessed Value, Fire Calls, and EMS Calls. Based on most recent numbers, that distribution percentage is: KT 27.5, EM 27.2, KB 14.9, Pocopson 14.0, Pennsbury 13.8, and Newlin 2.8. The Total Budget for 2018 will be just over \$1.7 MM. This amount is intended to cover operating and capital costs (including equipment), plus cost to fund the Commission. It was developed based on the combined 2017 budgets of the 6 Municipalities.

Newlin's F&EMS millage will have to increase from .35 mill to .61 mill in 2018 to meet our share obligation. This is close to the weighted average effective millage of the 6 Municipalities @ 0.68)

Our timeline is to put this approach in place this year with the Commission responsibility for managing Regional F&EMS beginning January 1, 2018. The Commission's scope will be strategic and budgetary, while operational responsibility will remain with the individual Service Providers.

Each Municipality must appoint 1 Voting Representative and 1 Alternate to the Commission for a renewable 1-year term, and one of these must be a Township Supervisor. Each Service Provider will also appoint 1 Representative to the Commission as a non-voting Member, and 1 Alternate.

Decisions of the Commission will not impose responsibilities on individual Municipalities that are beyond the scope of those authorized by the IMCA, e.g. financial obligations beyond the budget agreement. Decisions require approval by at least 4 of the 6 Municipalities and by > 50% of the cost allocation shares.

Kristin Camp provided the details of the Inter Municipal Agreement and stated that there needs to be an ordinance to authorize the Board to enter into the Agreement. The Agreement is specific to this entity. There is also Articles of Incorporation. The Ordinance was advertised on June 29th.

Bob Pearson made a motion to adopt Ordinance 2017-04 AUTHORIZING THE TOWNSHIP TO ENTER INTO AN INTER-MUNICIPAL COOPERATION AGREEMENT WITH THE BOROUGH OF KENNETT SQUARE AND THE TOWNSHIPS OF KENNETT, EAST MARLBOROUGH, PENNSBURY AND POCOPSON, CHESTER COUNTY FOR THE PURPOSE OF FORMING, ESTABLISHING AND JOINING A COUNCIL OF GOVERNMENTS OR CONSORTIUM TO BE KNOWN AS THE KENNETT FIRE AND EMS REGIONAL COMMISSION. Bob Pearson thanked Bennett Baird and Bill Kelsall for their work on the ordinance, he also thanked the fire companies for their service and support. Janie Baird seconded the motion and the vote was unanimous.

Caroline Haas asked how the fire companies feel about the ordinance. Jack Law inquired what prompted Newlin to enter into the agreement and consider the ordinance for adoption. Janie Baird said it started with a request from a provider. With that request came the fire tax.

The Board also needs to select two representatives, a primary representative and an alternate. Bob Pearson made a motion to appoint Bennett Baird as the primary representative with Bill Kelsall being the alternate representative. Janie Baird seconded the motion and the vote was unanimous.

Janie Baird recognized Bennett Baird and Bill Kelsall for the numerous hours they invested in the project.

Total Maximum Daily Load Plan Document (TMDL): So far Newlin hasn't been granted a waiver from MS4 requirements for the 2018 permit with DEP. Permit application/notice of intent is due September 16, 2017. Without a waiver, Newlin is required to reduce sediment pollution in the

West branch of Brandywine Creek to meet EPA requirements in the short-term (2018 - 2023) and in the long term (2023).

Cedarville has developed a TMDL plan for the short-term through implementation of 2 basin retrofit projects in Newlin Greene to improve pollutant reduction requirements and water quality improvement. They have also proposed a project for the long term involving Pocopson Creek Stream Restoration in the Glenelg Farm HOA. Grant monies will be sought for this project.

The entire plan is available on the Township web site under News & Events and was advertised in the DLN on June 29, 2017. The plan was presented to an advertised joint BOS/PC meeting on May 24, 2017. Comments will be accepted tonight and until July 29th. After tonight, comments can be addressed to the Township through the Township email address.

Laurel Road: Janie Baird and two representatives from Cedarville met with the Southeastern District Manager for DCED, Ms. Alijah Furman, on June 29th at Laurel Rd. They toured the area of destruction and discussed the application for a multi-modal grant with Ms. Furman. She made several suggestions for improving our application which were adopted by Cedarville and the updated application has been submitted to Ms. Furman for her preview. The final is due the end of July. Janie Baird said a letter of support was received today from Senator Killion which will be submitted with the grant application.

The cost of the repairs has been updated as further deterioration of the road bank has occurred since our last grant application. The revised estimate is \$1,449,843 making the Township's 30% match \$434,953. This will be our last attempt at a multi-modal grant.

A CC Conservation District Low Volume Rd. grant for streambank stabilization for Laurel Rd. is being prepared. This project will be for the area before the failed section as you come from Strasburg Road. Barb Forney is the Township liaison for the low volume grant.

A Resolution to accept the Multi-Modal Grant Application needs to be adopted. Bob Pearson made a motion to adopt Resolution 2017-07, Bill Kelsall seconded and the vote was unanimous.

Embreeville Update: The Board has appointed Vince Pompo, Esquire to represent Newlin in the matter of the Embreeville sewage treatment plant. Vince has been in touch with Pravin Patel of DEP and has received a copy of the permit renewal application submitted to DEP from Cawley Environmental. The renewal application has been reviewed by Cedarville Engineering and they noted several documents that were not included in the copy of the application we received. Cedarville also made 6 comments in response to the information that was provided. Mr. Pompo has written Mr. Patel and sent him a copy of the Cedarville memo and stated that the Township will likely have further comments in response to the receipt of the application documents that were missing from our copy and future public notice and draft permit.

A response from Mr. Patel dated June 30, 2017 stated that DEP hasn't started to review the application yet and he will advise Mr. Pompo when the review is complete so he can make an appointment with the Record Management to review the files.

Beagle Club Dirt & Gravel Road Grant: Barb Forney announced we got approved for the grant and work will commence soon and work will be accomplished over a 2 year period.

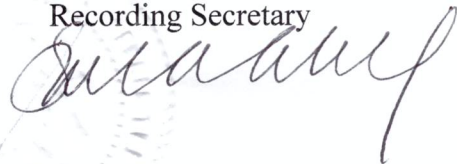
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Adjournment: With no further business, Bob Pearson made a motion for adjournment, seconded by Bill Kelsall and the vote was unanimous.

Respectfully Submitted,

Gail Abel

Recording Secretary



A handwritten signature in cursive script, appearing to read 'Gail Abel', is written over the typed name and title.