

**PUBLIC MEETING:**

**1. TMDL (Total Maximum Daily [Sediment] Load) Plan Strategy**

The above public meeting was held prior to the Board of Supervisors regular meeting on March 08, 2016 in the McCardle Meeting Room in the Township Building Meeting Room, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822.

Supervisors present:

Vincent M. Pompo, Esq.  
Thomas A. Egan, Vice Chair  
John D. Snook, Supervisor

Not in attendance: All present.

Staff / Professionals in attendance:

Township Manager Michael P. Lynch  
Assistant Manager, Amanda M. Cantlin  
Township Engineer Mark J. Lucas, P.E.  
Township Codes Enforcement Officer, Brenden L. Beaumont  
Township Solicitor – Unruh, Turner, Burke & Frees -- Amanda Sundquist, Esq.

Not in attendance:

Township Public Works Director, John P. Carroll  
Township Solicitor – Unruh, Turner, Burke & Frees -- Ross A. Unruh, Esq.

Others in attendance:

Approximately 15 citizen(s)

The Board convened the Public Meeting (scheduled for 07:00 P.M.) at approximately 07:03 P.M. Public Notice was published in the Daily Local News and the Daily Local News Digital on February 04 and February 25, 2016 and was posted at the Township Building February 04, 2016. The draft TMDL Strategy Plan was available for public inspection at the Township Building and on the Township web site [www.eastbradford.org](http://www.eastbradford.org) since 02-04-16. The written comment period is from February 05, 2016 through March 11, 2016. The deadline for submission of the TMDL Strategy Plan to the PA Department of Environmental Protection is March 31, 2016.

*Secretary's Note: A Court Reporter was not in attendance to record the proceedings and these Minutes constitute the official summary of the Public Meeting.*

Board of Supervisors Chair Pompo and Township Engineer Lucas introduced and presented the TMDL (Total Maximum Daily [Sediment] Load) Plan Strategy. Mr. Pompo stated this program is mandated by the Environmental Protection Agency (EPA) and administered through the regional office of the Pennsylvania Department of Environmental Protection as part of the Clean Water Act.

Vice Chair Egan stated this is another example of an unfunded (Federal) mandate to local government with unknown fiscal impact to the Township.

East Bradford Township TMDL Plan Summary

The Federal Environmental Protection Agency (EPA) is requiring pollutants to be reduced in certain rivers in the United States through a program referred to as "Total Maximum Daily Load", or TMDL, which is the amount of pollutant a municipality can discharge into a river that it drains to. In Pennsylvania, the program is administered by the Department of Environmental Protection, an agency of the Commonwealth, on behalf of the EPA. The Christina River in Delaware (known as the Brandywine in Pennsylvania) is a river recognized by the EPA as being polluted with sediment, amongst other things. East Bradford Township drains to the Christina River and is being required by the EPA to reduce its Total Maximum Daily Load of sediment to the river by approximately 60 percent over the next 15 years.

The required 60 percent reduction is from an area in East Bradford Township recognized as "urbanized" by the EPA, meaning that it is an area that has experienced substantial residential, commercial or institutional land development. However, a legal ruling in Pennsylvania has established that the required 60 percent reduction is from only the areas that drain into the stormwater piping system owned by the Township, a substantially smaller area, thus reducing the overall sediment reduction required by the Township.

The Draft TMDL reduction plan completed by the Township will reduce the sediment loading to the Christina River from the Township's urbanized area by approximately 20 percent over the next 15 years via projects such as stream embankment stabilizations, tree plantings, stormwater basin alterations and floodplain restorations. However, the plan will tentatively reduce the sediment loading to the Christina River from the Township's stormwater piping system via the same projects by approximately 60 percent over the next 15 years, thus meeting the EPA requirement per the legal ruling in Pennsylvania. Future stream analysis and testing by the EPA may alter requirements or necessitate revisions to the plan.

Twp Engineer Lucas stated that in order to meet the current directive of the PA DEP for a 60% sediment load reduction in the years ahead, as an illustrative example, the equivalent of 8 to 9 miles of streams in the Township would need to be modified and improved at a cost to the municipality in the millions of dollars. In another comparative comment, Mr. Lucas indicated if the current efforts to date implemented by the Township were applied to West Goshen Township (an upstream, fully urbanized neighboring municipality) the sediment load reduction requirements would be satisfied for West Goshen Township.

Mr. Lucas stated that additional evaluation is necessary to advance a practical implementation rationale by calculating the percentage reduction that the subject plan provides when compared with the MS-4 Drainage Areas (map) rather than the identified Urbanized Area (map) for the Township.

**Additional BOS comment:**

Chair Pompo suggested significant precipitation events (bank-full and flood stage elevations) affect stream sediment transport load (more substantially and measurably) than daily normal stream flows whereby increased sediment loads result in the Township from upstream municipalities. Mr. Pompo stated the Township should implement a monitoring program to establish and document a database which could be useful to both the Township and the DEP in establishing objective and fair metrics for determining municipal obligations to reduce TMDL's.

**Public comment received:**

None received / offered at this time.

**Consideration to authorize the plan submission to the PA DEP:**

At this time, Chair Pompo requested that the draft Plan be revised to include the comment received at this Public Meeting and timely submitted to the PA DEP by March 31, 2016. Vice Chair Egan and Supervisor Snook concurred.

The Board of Supervisors closed and concluded the Public Meeting at 07:16 P.M.

END

**REGULAR BUSINESS MEETING:**

The March 2016 Regular (monthly) Business Meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, March 08, 2016 in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822. *Public Notice of the 2016 East Bradford Township public meeting schedule was published in the Daily Local News 01-07-16.*

Supervisors present:

Vincent M. Pompo, Esq., Chair  
Dr. Thomas A. Egan, Vice-Chair  
John D. Snook, Supervisor

Supervisors not present: All present.

Staff / professionals present:

Township Manager/Secretary-Treasurer Michael P. Lynch  
Assistant Manager Amanda M. Cantlin Township  
Township Engineer Mark J. Lucas, P.E  
Township CEO Brenden L. Beaumont  
Township Solicitor - Unruh, Turner, Burke & Frees – Ross A. Unruh, Esq. / Amanda Sundquist, Esq.

Not in attendance:

Township Public Works Director John P. Carroll

Also in attendance Advisory Boards and Commissions (ABC's):

Anthony Biacchi, Planning Commission Chair  
Jean Renshaw, Historical Commission

Others / Citizens / Residents in attendance: *(with those noted below in the body of the Minutes):*  
Approximately 20 citizen(s) was (were) in attendance.

The regular meeting was called to order at approximately 07:15 P.M. by Chair Pompo.

*The Pledge of Allegiance before the Flag of the United States of America was recited at the commencement of the above referenced Public Hearing*

**PUBLIC COMMENT:** *Sunshine Law, Act 93, as amended, requires public comment prior to official action.*  
None offered / received at this time.

**REPORTS/PRESENTATIONS: (Emergency Services, Public Works, Codes, A.B.C.'s)**  
None scheduled at this time.

**MINUTES:** The Board of Supervisors, on motion of Mr. Snook, seconded by Dr. Egan, approved the following minutes: 02-09-16 Regular Meeting; 02-09-16 Pre-regular mtg Work Session; and 03-03-16 Work Session.

The minutes (and copies) are available for review at the Township Building or at [www.eastbradford.org](http://www.eastbradford.org).

**EXECUTIVE SESSION:**

Chair Pompo reported the following Executive Session(s) occurred during the period since the last Regular Meeting:

None during the current period.

**TREASURER FINANCIAL REPORT:**

A. Monthly Financial Statement – February 2016

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, accepted the February 2016 Financial Reports prepared by the Township Treasurer.

B. 2015 Audit

Twp Mgr Lynch reported the 2015 Audit was completed by Independent Auditor Mingis, Gutowski (David Barrett, CPA) and submitted to (as required) and accepted by the PA Department of Community and Economic Development (DCED). There were no management findings or deficiencies reported in the Audit. Public Notice, including a summary of the 2015 Audit, was published in the Daily Local News 02-23-16. The

Page 4, Board of Supervisors Minutes, March 08, 2016  
2015 Audit is available for public review at the Township Building and the summary is published on the Township web site.

C. 2016 Budget / 2017 Budget –

Twp Mgr Lynch reported the 2016 Budgets are posted on the Township web site.

The Winter Edition of the Township Newsletter includes a summary of the 2016 Budget.

Questions on the 2016 Budget may be directed to the Twp Manager / Treasurer [mlynch@eastbradford.org](mailto:mlynch@eastbradford.org)

**ANNOUNCEMENTS:** [www.eastbradford.org](http://www.eastbradford.org)

A. Public Hearings –

1. **MS-4 Permit TMDL Plan Strategy 03-08-16, 07:00 P.M.**

2. **Toll Bros. – Tigue Farm Conditional Use Public (next) Hearing (#04) – 03-08-16, 07:30 P.M.**

3. *Emergency Radio Satellite Signal Booster Ordinance tentative 04-12-16, 07:00 P.M.*

4. *Timber Harvesting Ordinance tentative 05-10-16, 07:00 P.M.*

B. ZHB – ***Pending applications / decisions / appeals at this time***

*None at this time*

C. Comprehensive Plan Update – next Task Force Meeting 03-30-16

D. Community Campus Coalition – seeking an East Bradford Township representative (inquiries to Twp Mgr)

E. Board of Supervisors Meeting Schedule 2015 – (All meetings are public unless Executive Session)

Regular Work Session – Thursday (prior to 2<sup>nd</sup> Tuesday), 06:00 P.M.

Pre-regular Mtg Work Session – 2nd Tuesday, 06:00 P.M.

Regular Business Meeting – 2<sup>nd</sup> Tuesday, 07:00 P.M.

**SUBDIVISIONS/LAND DEVELOPMENT:**

None this period.

**ESCROW RELEASES:**

None this period.

**OTHER BUSINESS:**

A. Approve Bills to Pay Lists for March as appropriated in 2016 Budget

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted

unanimously to approve the Bills to Pay Lists for March 2016 as appropriated in the 2016 Budget, recommended for payment by the Treasurer and signed by at least two members of the Board of Supervisors and/or Township Treasurer.

**OTHER MATTERS:**

None at this time.

**PUBLIC COMMENT:**

None received / offered at this time.

**MEETING ADJOURNMENT:**

The Board of Supervisors, on motion of Mr. Pompo and seconded by Mr. Snook, adjourned the Regular Meeting at approximately 07:25 P.M.

**EXECUTIVE SESSION** (at discretion of Chair):

None scheduled at this time.

**PUBLIC HEARING:**

1. Toll Bros. (Tigue Farm) – Conditional Use Public Hearing (#4) – 03-08-16, 07:30 P.M.

Chair Pompo, for the Board of Supervisors, introduced the Application and then deferred to the Township Solicitor to conduct the proceeding.

Township Solicitor (Unruh, Turner, Burke & Frees) Ross A. Unruh, Esq. & Amanda Sundquist, Esq. conducted the proceeding for a Conditional Use application of Toll Brothers, Inc.

Court Reporter Nancy Sage recorded the hearing (and will prepare a transcript).

The hearing concluded at 09:33 P.M. A transcript of the hearing is to be prepared by the Court Reporter. The next hearing is scheduled for Tuesday, April 12, 2016, 07:15 P.M.

Next scheduled Regular Meeting of the Board of Supervisors, Tuesday, April 12, 2016, 07:00 P.M.

Michael P. Lynch  
Township Secretary