

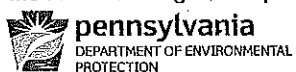
**ANNUAL REPORT  
MS4 Year 12**

**For**

**East Fallowfield Township  
Chester County, PA**

**June 2015**

Prepared By:  
Herbert E. MacCombie, Jr., P.E.  
Consulting Engineers & Surveyors, Inc.  
1000 Palmers Mill Road  
Media, PA 19063



## MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) ANNUAL/PROGRESS REPORT

For the Reporting Period: March 10, 2014 to March 9, 2015

☒ Annual Report ☐ Progress Report  
☐ New Permittee ☒ Renewal Permittee

Due Date: June 9, 2015

### GENERAL INFORMATION

|                     |                               |                   |   |
|---------------------|-------------------------------|-------------------|---|
| Permittee Name:     | East Fallowfield Township     | NPDES Permit No.: | PAI 130512  |
| Mailing Address:    | 2264 Strasburg Road           | Effective Date:   | February 13, 2004   |
| City, State, Zip:   | East Fallowfield, PA 19320    | Expiration Date:  | March 9, 2008   |
| MS4 Contact Person: | Lisa Valaitis                 | Renewal Due Date: | Sept. 14, 2013  |
| Title:              | Township Secretary            | Admin. Extended?  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Phone:              | 610-384-7144                  | Municipality:     | East Fallowfield Township   |
| Email:              | lvalaitis@eastfallowfield.org | County:           | Chester   |

Co-Permittees (if applicable): None

### WATER QUALITY INFORMATION

Are there any discharges to waters within the Chesapeake Bay Watershed? ☐ Yes ☒ No

Identify all surface waters that receive stormwater discharges from storm sewers within the MS4 urbanized area and provide the requested information (see instructions).

| Receiving Water Name                                | Ch. 93 Class. | Impaired? | Cause(s)               | TMDL? | WLA? |
|---|---------------|-----------|------------------------|-------|------|
| Sucker Run (B05)                                    | WWF_MF        | Yes       | Nitr., Phos., Sediment | Yes   | Yes  |
| WB Brandywine Creek(B06)                            | WWF-MF        | Yes       | Nitr., Phos., Sediment | Yes   | Yes  |
| Dennis Run (B10))                                   | WWF-MF        | No        | Not Impaired.in Twp    | No    | No   |
| UNT to Beaver Creek to<br>EB Brandywine Creek (B30) | CWF           | yes       | Not assigned           | No    | No   |
| Buck Run(B20)                                       | TSF-MF        | Yes       | Sediment Only          | Yes   | Yes  |
| UNT to WB Brandywine Creek                          | CWF-MF        | No        | Not Impaired           | No    | No   |
|   |               |           |                        |       |      |
|   |               |           |                        |       |      |

Identify any Wasteload Allocations (WLAs) identified in TMDLs for the MS4, if applicable. Identify the pollutant(s) and mass load(s):

Sucker Run(B05) - N - 9.80kg/d, P - 1.85kg/d, Sed - 62.3t/yr. WBBC(B06) - N - 66kg/d, P- 13.5kg/d, Sed. - 194.12t/yr.  
Buck Run - Seiment only - 170t/yr

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

### GENERAL MINIMUM CONTROL MEASURE (MCM) INFORMATION

Have you completed all MCM activities required by the permit for this reporting period? ☐ Yes ☒ No

Provide current contact name and phone number information for the required MCMs (if same as page 1, leave blank):

| MCM  | Contact Name            | Phone        |
|--|-------------------------|--------------|
| #1 Public Education and Outreach on Storm Water Impacts                          | BVA -Bob Struble        | 610-793-1090 |
| #2 Public Involvement/Participation  | Same                    |              |
| #3 Illicit Discharge Detection and Elimination (IDD&E)                           | Lisa Valaitis           | 610-384-7144 |
| #4 Construction Site Storm Water Runoff Control                                  | Chris Della Penna, P.E. | 610-857-0045 |
| #5 Post-Construction Storm Water Management in New Development and Redevelopment | Same                    |              |
| #6 Pollution Prevention/Good Housekeeping  | Barry (Tag) Gathercole  | 610-384-7144 |

### MCM #1 – PUBLIC EDUCATION AND OUTREACH ON STORM WATER IMPACTS

#### BMP #1: Develop, implement and maintain a written Public Education and Outreach Program

**Measurable Goal:** For new permittees a Public Education and Outreach Program (PEOP) shall be developed and implemented during the first year of permit coverage and shall be re-evaluated each permit year thereafter and revised as needed. For renewal permittees, the existing PEOP shall be reviewed and revised as necessary. The permittee's PEOP shall be designed to achieve measurable improvements in the target audience's understanding of the causes and impacts of stormwater pollution and the steps they can take to prevent it.

- For new permittees only, attach the written PEOP or a summary thereof to the first report submitted to DEP.
- If you are not a new permittee, did you complete and submit your written PEOP to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: **6/2014**
- Date of last evaluation of or revision to the PEOP: **BVA 2014**
- What were the plans and goals for public education and outreach for the reporting period?

The web site was improved to include more extensive MS4 and stormwater information and provide information at the Township building. It is in the drop down menu under "Community". The Township communicates to its residents via the website, as it does not issue a newsletter. A resident has volunteered to try and re-establish the newsletter.

- Did the MS4 achieve its goal(s) for the PEOP during the reporting period? ☒ Yes ☐ No

Explain the rationale for your answer:

Board of Supervisor meeting minutes are posted on the website. Matters related to SWM and MS4 are discussed at nearly every meeting. Copies are in the Appendix. Residents were informed of community events related to stormwater cleanups on the website.

- Identify specific plans and goals for public education and outreach for the upcoming year:

Continue to keep the website up to date with current information on MS4 and Stormwater and inform residents of events and actions.

#### BMP #2: Develop and maintain lists of target audience groups present within the areas served by your MS4

**Measurable Goal:** For new permittees, the lists shall be developed within the first year of coverage under the permit and reviewed and updated as necessary every year thereafter. For renewal permittees, the lists shall continue to be reviewed and updated annually.

1. For new permittees only, attach your target audience list(s) to the first report submitted to DEP.
2. If you are not a new permittee, did you complete and submit your target audience list to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: **with year 3 permit**
3. Date of last review or revision to target audience list(s): **none**

**BMP #3: Annually publish at least one educational item on your Stormwater Management Program**

***Measurable Goal:** For new permittees, stormwater educational and informational items shall be produced and published in print and/or on the Internet within the first year of permit coverage. In subsequent years (and for renewal permittees), the list of items published and the content in these items shall be reviewed, updated, and maintained annually. Your publications shall contain stormwater educational information that addresses one or more of the 6 MCMs.*

1. For new permittees only, attach your published stormwater educational or informational materials to the first report submitted to DEP.
2. If you are not a new permittee, did you complete and submit your published stormwater educational or informational materials to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date:
3. Do you have a municipal newsletter? ☐ Yes ☒ No  
If Yes, how often was it published during the reporting period and what MS4-related material did it contain?
4. Do you have a municipal website? ☒ Yes ☐ No (URL: **eastfallowfield.org**)  
If Yes, what MS4-related material does it contain?  
**Info on the MS4 program, Links and contact phone numbers, Annual BVA Ad**
5. Describe any other method(s) used during the reporting period to provide information on stormwater to the public:  
**Board of Supervisor Meetings - Published minutes**
6. Date of most recent review and/or update to published stormwater educational materials: **2104**
7. Identify specific plans for the publication of stormwater materials for the upcoming year:  
**Use of publication from other agencies - Delaware Estuary**

**BMP #4: Distribute stormwater educational materials to the target audiences**

***Measurable Goal:** All permittees shall select and utilize at least two distribution methods in each permit year. These are in addition to the newsletter and website provisions of BMP #3.*

Identify the two additional methods of distributing stormwater educational materials during the previous year (e.g., displays, posters, signs, pamphlets, booklets, brochures, radio, local cable TV, newspaper articles, other advertisements, bill stuffers, posters, presentations, conferences, meetings, fact sheets, giveaways, or storm drain stenciling).

## Pamphlets and brochures at the Township Building

## MCM #2 – PUBLIC INVOLVEMENT/PARTICIPATION

### BMP #1: Develop, implement and maintain a written Public Involvement and Participation Program (PIPP)

**Measurable Goal:** A new permittee's PIPP shall be developed and implemented during the first year of coverage under this General Permit. All permittees shall re-evaluate the PIPP each permit year and revise as needed. Your PIPP shall include, but not be limited to:

- a. Opportunities for the public to participate in the decision-making processes associated with the development, implementation, and update of programs and activities related to this General Permit.
- b. Methods of routine communication to groups such as watershed associations, environmental advisory committees, and other environmental organizations that operate within proximity to the permittee's regulated small MS4s or their receiving waters.
- c. Making your periodic reports available to the public on your website, at your municipal offices, or by US Mail upon request.

1. For new permittees only, attach your written PIPP or a summary thereof to the first report submitted to DEP.
2. If you are not a new permittee, did you complete and submit your written PIPP or summary to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: **BVA 2014**

3. Date of last review and/or update to the PIPP: **BVA 2014**

4. Explain how your PIPP addresses items a, b and c of the Measurable Goal:

The public can participate in the Monthly Board of Supervisors, Parks and Recreation Committee and Planning Commission Meetings where matters related to drainage and MS4 are reviewed and discussed. They attended the Public Hearings for the new Act 167 SWM Ordinance review.

Information provided by BVA regarding stream clean up programs are posted at the township and on the website, as in information on on programs such a tree planting opportunities through Tree Vitalize and Rain Barrel purchase availability.

The Lions Club cleans up Strasburg Rd. 2x/yr. The Parks & Rec committee has a "pond watch" program for the pond in the park. The public works crews assisted BVA in the Stream Clean-up along the Brandywine. See Report in the Appendix.

All documents and reports are available to the public on the website.

### BMP #2: Prior to adoption of any ordinance (municipal permittees) or SOP (non-municipal permittees) required by the permit, provide adequate public notice and opportunities for public review, input, and feedback.

**Measurable Goal:** Advertise any proposed MS4 Stormwater Management Ordinance or SOP, provide opportunities for public comment, evaluate any public input and feedback, and document the comments received and the municipality's response.

1. Was an MS4-related ordinance or SOP developed during the reporting period? ☒ Yes ☐ No
2. If Yes, describe how you advertised the draft ordinance and how you provided opportunities for public review, input and feedback:

The proposed ordinance was properly advertised in the local newspaper and finally adopted in Spet 2014

3. If an ordinance or SOP was enacted/developed or amended during the reporting period, provide the following information:

| Ordinance No. / SOP Name | Date of Public Notice | Date of Public Hearing | Date Enacted  |
|--------------------------|-----------------------|------------------------|---------------|
| 2014-02                  | 10-31 & 11-7-2013     | 11-26-2013             | Sept 23, 2014 |
|                          |                       |                        |               |

**BMP #3: Regularly solicit public involvement and participation from the target audience groups. This should include an effort to solicit public reporting of suspected illicit discharges. Assist the public in their efforts to help implement your SWMP. Conduct public meetings to discuss the on-going implementation of your SWMP.**

**Measurable Goals:** Conduct at least one public meeting per year to solicit public involvement and participation from target audience groups. The public should be given reasonable notice through the usual outlets a reasonable period in advance of each meeting. During the meetings, you should present a summary of your progress, activities, and accomplishments with implementation of your SWMP, and you should provide opportunities for the public to provide feedback and input. Your presentation can be made at specific MS4 meetings or during any other public meeting. Under this MCM, you should document and report instances of cooperation and participation in your activities; presentations you made to local watershed organizations and conservation organizations; and similar instances of participation or coordination with organizations in your community. You also should document and report activities in which members of the public assisted or participated in your meetings and in the implementation of your SWMP, including education activities or organized implementation efforts such as cleanups, monitoring, storm drain stenciling, or others.

1. Date of the public meeting(s): **None**
2. How were meeting(s) advertised to the public?
3. Indicate where the meeting(s) were held and the number of attendees:
4. What types of MS4-related activities did you solicit public involvement and participation for?  
**Planting 265 trees provided by the Brandywine Conservancy in the Park around the pond and constructing a rain garden at the Township Building that was funded by a grant from the Delaware Department of Natural Resources and Environmental Council(DNREC)**
5. What MS4-related activities did the public participate in?  
**The project was managed by the Parks & Recreation Committee and the trees were planted by the Conservancy with assistance from approx. 45 volunteers. The rain garden was constructed by Township personnel, but the Boy Scouts participated in the planting of the vegetation.**

### **MCM #3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDD&E)**

**BMP #1: You shall develop and implement a written program for the detection, elimination, and prevention of illicit discharges into your regulated MS4s. Your program shall include dry weather field screening of outfalls for non-stormwater flows, and sampling of dry weather discharges for selected chemical and biological parameters. Test results shall be used as indicators of possible discharge sources.**

**Measurable Goal:** For new permittees, the IDD&E program shall be developed during the first year of coverage under this General Permit and shall be implemented and evaluated each year thereafter. For renewal permittees, the existing IDD&E program shall continue to be implemented and evaluated annually. Records shall be kept of all outfall inspections, flows observed, results of field screening and testing, and other follow-up investigation and corrective action work performed under this program.

1. For new permittees only, attach your written IDD&E program to the first report.
2. If you are not a new permittee, did you complete and submit your written IDD&E program to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: **2005**
3. Date of last review and/or update to IDD&E program: **Included in new Act 167 adopted in Sept 2014**

**BMP #2: Develop and maintain a map of your regulated small MS4. The map must also show the location of all outfalls and the locations and names of all surface waters of the Commonwealth (e.g., creek, stream, pond, lake, basin, swale, channel) that receive discharges from those outfalls:**



**BMP #3: Regularly solicit public involvement and participation from the target audience groups. This should include an effort to solicit public reporting of suspected illicit discharges. Assist the public in their efforts to help implement your SWMP. Conduct public meetings to discuss the on-going implementation of your SWMP.**

**Measurable Goals:** Conduct at least one public meeting per year to solicit public involvement and participation from target audience groups. The public should be given reasonable notice through the usual outlets a reasonable period in advance of each meeting. During the meetings, you should present a summary of your progress, activities, and accomplishments with implementation of your SWMP, and you should provide opportunities for the public to provide feedback and input. Your presentation can be made at specific MS4 meetings or during any other public meeting. Under this MCM, you should document and report instances of cooperation and participation in your activities; presentations you made to local watershed organizations and conservation organizations; and similar instances of participation or coordination with organizations in your community. You also should document and report activities in which members of the public assisted or participated in your meetings and in the implementation of your SWMP, including education activities or organized implementation efforts such as cleanups, monitoring, storm drain stenciling, or others.

1. Date of the public meeting(s): **None**
2. How were meeting(s) advertised to the public?
3. Indicate where the meeting(s) were held and the number of attendees:
4. What types of MS4-related activities did you solicit public involvement and participation for?  
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**Measurable Goal:** For new permittees, the IDD&E program shall be developed during the first year of coverage under this General Permit and shall be implemented and evaluated each year thereafter. For renewal permittees, the existing IDD&E program shall continue to be implemented and evaluated annually. Records shall be kept of all outfall inspections, flows observed, results of field screening and testing, and other follow-up investigation and corrective action work performed under this program.

1. For new permittees only, attach your written IDD&E program to the first report.
2. If you are not a new permittee, did you complete and submit your written IDD&E program to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: **2005**
3. Date of last review and/or update to IDD&E program: **Included in new Act 167 adopted in Sept 2014**

**BMP #2: Develop and maintain a map of your regulated small MS4. The map must also show the location of all outfalls and the locations and names of all surface waters of the Commonwealth (e.g., creek, stream, pond, lake, basin, swale, channel) that receive discharges from those outfalls.**

**Measurable Goals:** For new permittees, develop the map(s) of your regulated small municipal separate storm sewer systems and the information on all outfalls from your regulated small MS4 by the end of the fourth (4th) year of permit coverage. For renewal permittees, the existing map(s) of your regulated small MS4 shall be updated and maintained as necessary during each year of coverage under the permit.

1. Have you completed a map(s) of all outfalls and receiving waters of your storm sewer system? ☐ Yes ☒ No

2. For new permittees only, attach the completed map to the 4<sup>th</sup> year Annual Report.
3. Date of last update or revision to map(s): Initial O.F. mapping in 2008 - MS4 outfalls need to be determined
4. Total number of discharge points in your storm sewer system that:  
Discharge directly to surface waters (outfalls): need to be determined  
Discharge to storm sewers owned by others: need to be determined
5. Total number of outfalls that are mapped at this time: 40(revisions in process)

**BMP #3:**In conjunction with the map(s) created under BMP #2 (either on the same map or on a different map), new permittees shall show, and renewal permittees shall update, the entire storm sewer collection system, including roads, inlets, piping, swales, catch basins, channels, basins, and any other features of the permittee's storm sewer system including municipal boundaries and/or watershed boundaries.

**Measurable Goals:** For new permittees, develop the map(s) by the end of the fourth (4th) year of coverage under the permit and update and maintain the map(s) as necessary each year of permit coverage thereafter. For renewal permittees, update and maintain the map(s) as necessary during each year of permit coverage.

1. Have you completed a map(s) that includes roads, inlets, piping, swales, catch basins, channels, basins, municipal boundaries and watershed boundaries? ☐ Yes ☒ No
2. If Yes, is the map(s) on the same map(s) as for outfalls and receiving waters? ☐ Yes ☐ No
3. For new permittees only, attach the completed map to the 4<sup>th</sup> year Annual Report.

4. If you are not a new permittee, did you complete and submit your map to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: 2009
5. Date of last update or revision to map: 2008

**BMP #4:**Following the IDD&E program created pursuant to BMP #1, the permittee shall conduct outfall field screening, identify the source of any illicit discharges, and remove or correct any illicit discharges using procedures developed under BMP #1.

*For all permittees, outfall inspections need to be prioritized according to the perceived chance of illicit discharges within the outfall's contributing drainage area. Observations of each outfall shall be recorded each time an outfall is screened, regardless of the presence of dry weather flow. Proper quality assurance and quality control procedures shall be followed when collecting, transporting or analyzing water samples. All outfall inspection information shall be recorded on the Outfall Reconnaissance Inventory/Sample Collection field sheet excerpted from the Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments (CWP, October 2004). Adequate written documentation shall be maintained to justify a determination that an outfall flow is not illicit. If an outfall flow is illicit, the actions taken to identify and eliminate the illicit flow also shall be documented.*

*The results of outfall inspections and actions taken to remove or correct illicit discharges shall be summarized in periodic reports.*

1. For new permittees only, were at least 40% of all outfalls screened during dry weather? ☐ Yes ☐ No  
  
If Yes for #1, indicate the number screened and the percent of all outfalls it represents. If No for #1, indicate reason(s) why this was not completed:  
  
Are you on pace to screen all outfalls twice during the permit term? ☐ Yes ☐ No
2. For renewal permittees, indicate the percent of outfalls screened during the reporting period: 0%  
  
Are you on pace to screen all outfalls once during the permit term? ☐ Yes ☒ No

3. For all permittees, indicate the percent of outfalls screened that revealed dry weather flows: **NOTE: Last screenings performed in 2009%**

4. Did any dry weather flows reveal color, turbidity, sheen, odor, floating or submerged solids? ☐ Yes ☐ No

5. If Yes for #4, attach all sample results to this report with a map identifying the sample location. Explain the corrective action(s) taken in the attachment.

6. Do you use the "Outfall Reconnaissance Inventory / Sample Collection Field Sheet" provided in the permit?

☒ Yes ☐ No

If No, attach a copy of your monitoring form.

**BMP #5: Enact a stormwater management ordinance (municipal entities) or develop an SOP (non-municipal entities) to implement and enforce a stormwater management program that includes prohibition of non-stormwater discharges to the regulated small MS4.**

**Measurable Goal:** Within the first year of coverage under the permit, new permittees shall enact and implement an ordinance from an Act 167 Plan approved by the Department in 2005 or later, the MS4 Stormwater Management Ordinance; or an ordinance that satisfies all applicable requirements in a completed and signed MS4 Stormwater Management Ordinance Checklist. (For non-municipal permittees, new permittees shall develop and implement a Standard Operating Procedure (SOP) within the first year of coverage).

Renewal permittees must continue to maintain, update, implement, and enforce a Stormwater Management Ordinance that satisfies all applicable requirements. (For non-municipal permittees, the SOP satisfies this requirement. If no existing SOP exists, it should be developed during the first year of coverage).

**Measurable Goal:** New permittees shall submit a letter signed by a municipal official, municipal engineer, or the municipal solicitor as an attachment to their first year report certifying the enactment of an ordinance that meets all applicable requirements of this permit. Renewal permittees shall update their existing ordinance, if necessary, and submit documentation of completion to the Department. (For non-municipal permittees, submit the SOP to the first report).

1. Do you have an ordinance (municipal) or SOP or other mechanism (non-municipal) that prohibits non-stormwater discharges? ☒ Yes ☐ No

If Yes, indicate the date of the ordinance or SOP: **September 2014**

2. For new permittees only, attach an ordinance (or SOP) and letter from an official, engineer or solicitor that prohibits non-stormwater discharges to the first report submitted to DEP.

3. If you are not a new permittee, did you complete and submit your ordinance (or SOP) and letter from an official, engineer or solicitor that prohibits non-stormwater discharges to DEP? ☒ Yes ☐ No

4. Were there any violations of the ordinance during the reporting period? ☐ Yes ☒ No

If Yes, describe what enforcement actions were taken for each violation:

**BMP #6: Provide educational outreach to public employees, business owners and employees, property owners, the general public and elected officials (i.e., target audiences) about the program to detect and eliminate illicit discharges.**

**Measurable Goals:** During each year of permit coverage, appropriate educational information concerning illicit discharges shall be distributed to the target audiences using methods outlined under MCM #1. If not already established, set up and promote a stormwater pollution reporting mechanism (e.g., a complaint line with message recording) by the end of the first year of permit coverage for the public to use to notify you of illicit discharges, illegal dumping or outfall pollution. Respond to all complaints in a timely and appropriate manner. Document all responses, include the action taken, the time required to take the action, whether the complaint was resolved successfully.

1. Was IDD&E-related information distributed to public employees, businesses, and the general public during the reporting period? ☒ Yes ☐ No

If Yes, what was distributed? **Info on website**

2. Is there a well-publicized method for employees, businesses and the public to report stormwater pollution incidents?

☒ Yes ☐ No

3. Do you maintain documentation of all responses, action taken, and the time required to take action? ☒ Yes ☐ No

#### **MCM #4 – CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

Are you relying on PA's statewide program for stormwater associated with construction activities to satisfy this MCM?

☒ Yes ☐ No (If No, complete all remaining questions for this MCM; if Yes, skip to MCM #5).

**BMP #1: Develop your program consisting of all procedures necessary to comply with the requirements of this MCM. Your program shall provide for construction stormwater permitting, construction inspection, and enforcement of installation and maintenance of the necessary E&S control measures. Your program shall describe clearly how your program will be coordinated with DEP's NPDES Construction Stormwater Permitting program.**

***Measurable Goals:** For new permittees, the written program for this MCM shall be developed during the first year of permit coverage; nevertheless, you are responsible for implementation of this MCM during entire term of this permit, including the time you are developing your program.*

*For all permittees, your program shall be reviewed and updated during each year of permit coverage. The purpose of the written program is to establish clear roles and responsibilities for the implementation of the MCM #4 requirements. An agreement between the permittee, the CCD, and any other resources to be used by the permittee that clearly defines roles for each entity is recommended. If an agreement is made, you shall place and keep a written copy in your file, consistent with the Retention of Records requirements in this Permit. Please note that in accordance with Section A.2.h in Part A of the Authorization to Discharge, as the permittee you are responsible to ensure that implementation of all requirements under this Permit are fulfilled.*

1. For new permittees only, attach the written stormwater associated with construction activities program to the first report submitted to DEP.
2. If you are not a new permittee, did you complete and submit your written stormwater associated with construction activities program to DEP? ☒ Yes ☐ No

If Yes, provide the latest submission date: **Act 167 was adopted in Sept 2014**

3. Date of last update or revision to the stormwater associated with construction activities program: **2014**

**BMP #2: The permittee shall enact, implement, and enforce an ordinance to require the implementation of erosion and sediment control BMPs, as well as sanctions to ensure compliance.**

***Measurable Goal:** Within the first year of coverage under the permit, new permittees shall enact and implement an ordinance that meets all applicable requirements of this permit. (Non-municipal permittees shall develop and implement an SOP).*

***Measurable Goal:** Permittees shall submit a letter signed by a municipal official, municipal engineer or the municipal solicitor as an attachment to their first periodic report certifying the enactment and implementation of a stormwater management ordinance that meets all requirements of this permit.*

1. For new permittees only, attach an ordinance (or SOP) and letter from an official, engineer or solicitor that addresses stormwater associated with construction activities to the first report submitted to DEP.
2. If you are not a new permittee, did you complete and submit your ordinance (or SOP) and letter from an official, engineer or solicitor that addresses stormwater associated with construction activities to DEP? ☒ Yes ☐ No

If Yes, provide the latest submission date: **Act 167 was adopted in Sept 2014**

**BMP #3: Develop and implement requirements for construction site operators to control waste at the construction site that may cause adverse impacts to water quality. While sediment is the most common pollutant of concern for MCM #4, there are other types of pollutants that also can be a concern and the intent of this BMP is to address these other types of pollutants, such as, but not limited to, discarded building materials, washout from concrete trucks, chemicals, litter, and sanitary waste.**

**Measurable Goal:** New permittees shall establish requirements to address this BMP by the end of the first year of permit coverage. Renewal permittees shall continue to implement existing requirements and update as necessary. This could be implemented by written municipal ordinance/code provisions, by standard notes on the site plans, by any other written format that accomplishes the objectives of this BMP, or by any combination of these measures. The goal of this BMP shall be communicated to construction site operators during pre-construction meetings. This BMP shall be implemented during each year of the MS4 permit. Permittees must prepare and maintain records of site inspections, including dates and results and you must maintain these records in accordance with the Retention of Records requirements in this Permit.

1. Identify the mechanism(s) in place to regulate construction site operators and wastes produced at construction sites:

The Township reviews plans and issues Grading & Erosion Control Permits for all land disturbing activities and under the new Act 167 will start to execute SWM O&M agreements. For Projects where NPDES permits are issued, the Twp coordinates with the CCD in Pre-construction Meetings, periodic inspections, and any necessary enforcement. Developer Agreements, Financial Surety and SWM O&M Agreements are executed to ensure construction And PCSWM compliance.

2. During the reporting period what has been the results of implementing the mechanism(s) described above?

Limited and/or minimal construction related problems

**BMP #4: Develop and implement procedures for the receipt and consideration of public inquiries, concerns, and information submitted by the public (to the permittee) regarding local construction activities. The permittee shall demonstrate acknowledgement and consideration of the information submitted, whether submitted verbally or in writing.**

**Measurable Goal:** Permittees shall establish and implement a tracking system to keep a record of any submitted public information as well as your response, actions, and results. This BMP shall be implemented during each year of coverage under this General Permit and information should be submitted with the each periodic report.

Describe the tracking system established for documenting public information concerning local construction activities and describe responses taken during the reporting period:

Phone calls, e-mails and written responses as necessary

#### **MCM #5 – POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT**

Are you relying on PA's statewide program for MCM #5 BMPs #1 - #3? ☒ Yes ☐ No

(If No, complete all remaining questions for this MCM; if Yes, skip to BMP #4)

**BMP #1: Develop a written procedure that describes how the permittee shall address all required components of this MCM. Guidance can be found in the Pennsylvania Stormwater Best Management Practices Manual.**

**Measurable Goal:** The written procedure shall be developed by the end of the first year of permit coverage and be reviewed and updated every permit year thereafter, as needed. The intent of BMP #1 is for the permittee to describe how the listed tasks will be accomplished.

1. For new permittees only, attach your written procedure for post-construction management to the first report.
2. If you are not a new permittee, did you complete and submit your written procedure for post-construction management to DEP? ☒ Yes ☐ No

If Yes, provide the latest submission date: Act 167 was adopted in Sept 2014

3. Date of last review or update of post-construction management procedure: **2014**

**BMP #2: Require the implementation of a combination of structural and/or non-structural BMPs that are appropriate to the local community, that minimize water quality impacts, and that are designed to maintain pre-development runoff conditions. This requirement can be met by ensuring that the selected BMPs comply with the municipal Stormwater Management Ordinance that meets the requirements of the permit.**

**Measurable Goal:** All qualifying development or redevelopment projects shall be reviewed to ensure that their post-construction stormwater management plans and selected BMPs conform to the applicable requirements. A tracking system (e.g., database, spreadsheet, or written list) shall be maintained to record qualifying projects and their associated BMPs. In your records, you shall note if there are no qualifying projects in a calendar year.

1. Number of development or redevelopment projects in urbanized area during reporting period: **2 - Northwoods and Thomas Subdivision**
2. Describe the tracking system in place:  
**Periodic construction inspections**
3. Describe the structural and/or non-structural BMPs that were required for these projects:  
**On-lot sub surface stone infiltration beds, detention basins, grassed swales, landscape restoration, flood plain and wetland preservation**

**BMP #3: Ensure that controls are installed that shall prevent or minimize water quality impacts.**

**Measurable Goal:** All qualifying development or redevelopment projects shall be inspected during the construction phase to ensure proper installation of the approved structural PCSM BMPs. A tracking system (e.g., database, spreadsheet, or written list) shall be implemented to track the inspections conducted and to track the results of the inspections (e.g., BMPs were, or were not, installed properly). Permittees not relying on DEP's statewide QLP to satisfy requirements under this BMP shall summarize construction inspections and results in periodic reports. See BMP #6 for requirements related to post-construction inspection and tracking of PCSM BMPs to ensure that the operation and maintenance plan is being implemented.

If there were development or redevelopment projects during the reporting period, attach documentation of inspections of PCSM BMPs to this report.

**BMP #4: The permittee shall enact, implement, and enforce an ordinance (municipal) or SOP or other regulatory mechanism (non-municipal) to address post-construction stormwater runoff from new development and redevelopment projects, as well as sanctions and penalties associated with non-compliance, to the extent allowable under State or local law.**

**Measurable Goal:** Within the first year of coverage under this permit, new permittees shall enact and implement a stormwater management ordinance (municipal) or SOP (non-municipal) that meets the requirements of this General Permit.

**Measurable Goal:** All permittees shall submit a letter signed by a municipal official, municipal engineer or the municipal solicitor as an attachment to their first periodic report certifying the enactment of a stormwater management ordinance that meets the requirements of this General Permit.

1. Do you have an ordinance (or SOP) to address post-construction stormwater runoff from new and redevelopment projects and does it include sanctions? ☒ Yes ☐ No  
If Yes, indicate the date of the ordinance or SOP: **Act 167 was adopted in Sept 2014**  
For new permittees only, attach a copy of the ordinance or SOP.
2. If you are not a new permittee, has the ordinance (or SOP) been submitted to DEP with a letter from an official, engineer or solicitor that certifies the enactment of an ordinance or SOP for PCSM activities? ☒ Yes ☐ No
3. Do you have authority to take enforcement action for failure to properly operate and maintain stormwater practices/facilities? ☒ Yes ☐ No



**BMP #5:** Develop and implement measures to encourage and expand the use of Low Impact Development (LID) in new and redevelopment. Measures also should be included to encourage retrofitting LID into existing development. DEP's Pennsylvania Stormwater Best Management Practices Manual provides guidance on implementing LID practices.

**Measurable Goal:** In your inventory of development and redevelopment projects authorized for construction since March 10, 2003, that discharge stormwater to your regulated MS4s, indicate which projects incorporated LID practices and for each project list and track the BMPs that were used.

**Measurable Goal:** Enact ordinances consistent with LID practices and repeal sections of ordinances that conflict with LID practices. Progress with enacting and updating your ordinances to enable the use of LID practices shall be summarized in the periodic reports.

1. Identify ordinances enacted or updated during the reporting period to ensure consistency with LID practices:

LID standards are included in the Townships Zoning Code for Cluster development

**BMP 6:** Ensure adequate operation and maintenance of all post-construction stormwater management BMPs installed at all qualifying development or redevelopment projects (including those owned or operated by the permittee).

**Measurable Goal:** Within the first year of coverage under this permit, new permittees shall develop and implement a written inspection program to ensure that stormwater BMPs are properly operated and maintained. The program shall include sanctions and penalties for non-compliance. All permittees shall review and update the inspection program annually and shall continue to implement this BMP.

**Measurable Goal:** An inventory of PCSM BMPs shall be developed by permittees and shall be continually updated during the term of coverage under the permit as development projects are reviewed, approved, and constructed. This inventory shall include all PCSM BMPs installed since March 10, 2003 that discharge directly or indirectly to your regulated small MS4s. The inventory also should include PCSM BMPs discharging to the regulated small MS4 system that may cause or contribute to violation of water quality standard. The inventory shall include:

- all PCSM BMPs that were installed to meet requirements in NPDES Permits for Stormwater Discharges Associated with Construction Activities approved since March 10, 2003;
- the exact location of the PCSM BMP (e.g., street address);
- information (e.g., name, address, phone number(s)) for BMP owner and entity responsible for BMP Operation and Maintenance (O&M), if different from BMP owner;
- the type of BMP and the year it was installed;
- maintenance required for the BMP type according to the Pennsylvania Stormwater BMP Manual or other manuals and resources;
- the actual inspection/maintenance activities for each BMP;
- an assessment by the permittee if proper operation and maintenance occurred during the year and if not, what actions the permittee has taken, or shall take, to address compliance with O&M requirements.

1. For new permittees only, attach the written inspection program to ensure that stormwater BMPs are properly operated and maintained.

2. If you are not a new permittee, did you complete and submit your written inspection program to ensure that stormwater BMPs are properly operated and maintained to DEP? ☒ Yes ☐ No

If Yes, provide the latest submission date: **Act 167 was adopted in 2014**

3. How do you ensure that stormwater BMPs are properly operated and maintained? Explain if you rely on means other than municipal inspections to ensure adequate O&M (consistent with your stormwater ordinance).

**Execution of SWM Operation & Maintenance Agreements**

4. Date that inspection program was last reviewed or updated: **2004**
5. Total number of sites with PCSM BMPs installed as of the date of this report: **5**
6. Total number of sites inspected during this reporting period: **0**
7. Number of sites found to have PCSM BMP deficiencies: **0**

8. Number of enforcement actions taken during this reporting period: 0

## MCM #6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING

**BMP #1:** Identify and document all facilities and activities that are owned or operated by the permittee and have the potential for generating stormwater runoff to the regulated small MS4. This includes activities conducted by contractors for the permittee. Activities may include the following: street sweeping; snow removal/deicing; inlet/outfall cleaning; lawn/grounds care; general storm sewer system inspections and maintenance/repairs; park and open space maintenance; municipal building maintenance; new construction and land disturbances; right-of-way maintenance; vehicle operation, fueling, washing and maintenance; and material transfer operations, including leaf/yard debris pickup and disposal procedures. Facilities can include streets; roads; highways; parking lots and other large paved surfaces; maintenance and storage yards; waste transfer stations; parks; fleet or maintenance shops; wastewater treatment plants; stormwater conveyances (open and closed pipe); riparian buffers; and stormwater storage or treatment units (e.g., basins, infiltration/filtering structures, constructed wetlands, etc.).

**Measurable Goal:** By the end of the first year of permit coverage, new permittees shall identify and document all types of municipal operations, facilities and activities and land uses that may contribute to stormwater runoff within areas of municipal operations that discharge to the regulated small MS4. Renewal permittees should have completed this list during the previous permit term. For all permittees, this information shall be reviewed and updated each year of permit coverage, as needed. Part of this effort shall include maintaining a basic inventory of various municipal operations and facilities.

1. Have you identified all facilities and activities owned and operated by the permittee that have the potential to generate stormwater runoff into the MS4? ☐ Yes ☒ No
2. When was the inventory last reviewed? 2008
3. When was it last updated? 2008
4. How many new facilities and/or activities were added to this inventory during this reporting period? 0

**BMP #2:** Develop, implement and maintain a written operation and maintenance (O&M) program for all municipal operations and facilities that could contribute to the discharge of pollutants from the regulated small MS4s, as identified under BMP #1. This program (or programs) shall address municipally owned stormwater collection or conveyance systems, but could include other areas (as identified under BMP #1). The O&M program(s) should stress pollution prevention and good housekeeping measures, contain site-specific information, and address the following areas:

- Management practices, policies, procedures, etc. shall be developed and implemented to reduce or prevent the discharge of pollutants to your regulated small MS4s. You should consider eliminating maintenance-area discharges from floor drains and other drains if they have the potential to discharge to storm sewers.
- Maintenance activities, maintenance schedules, and inspection procedures to reduce the potential for pollutants to reach your regulated small MS4s. You also should review your procedures for maintaining your stormwater BMPs.
- Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt / sand (anti-skid) storage locations and snow disposal areas.
- Procedures for the proper disposal of waste removed from your regulated small MS4s and your municipal operations, including dredge spoil, accumulated sediments, trash, household hazardous waste, used motor oil, and other debris.

**Measurable Goal:** During the first year of permit coverage, new permittees shall develop and implement a written O&M program that complies with BMPs #1 and #2. Renewal permittees shall continue to implement their existing program. All permittees shall review the O&M program annually, edit as necessary, and continue to implement during every year of permit coverage.

1. For new permittees only, attach the written O&M program to the first Annual Report.
2. If you are not a new permittee, did you complete and submit your written O&M program to DEP? ☒ Yes ☐ No  
If Yes, provide the latest submission date: 2008

3. Date of last review or update to O&M program: 2013

**BMP #3:** Develop and implement an employee training program that addresses appropriate topics to further the goal of preventing or reducing the discharge of pollutants from municipal operations to your regulated small MS4s. The program may be developed and implemented using guidance and training materials that are available from federal, state or local agencies, or other organizations. Any municipal employee or contractor shall receive training. This could include public works staff, building / zoning / code enforcement staff, engineering staff (on-site and contracted), administrative staff, elected officials, police and fire responders, volunteers, and contracted personnel. Training topics should include operation, inspection, maintenance and repair activities associated with any of the municipal operations / facilities identified under BMP #1. Training should cover all relevant parts of the permittee's overall stormwater management program that could affect municipal operations, such as illicit discharge detection and elimination, construction sites, and ordinance requirements.

***Measurable Goal:** During the first year of permit coverage, new permittees shall develop and implement a training program that identifies the training topics that will be covered, and what training methods and materials will be used. Renewal permittees shall continue to operate under their existing program. All permittees shall review the training program annually, edit it as necessary, and continue to implement it during every year of permit coverage.*

***Measurable Goal:** Your employee training shall occur at least annually (i.e., during each permit coverage year) and shall be fully documented in writing and reported in your periodic reports. Documentation shall include the date(s) of the training, the names of attendees, the topics covered, and the training presenter(s).*

1. For new permittees only, attach the written training program to the first Annual Report.
2. If you are not a new permittee, did you complete and submit your written training program to DEP? ☐ Yes ☒ No  
If Yes, provide the latest submission date:
3. Date of last review or update to training program:
4. Identify the date(s) of employee training, the names of attendees, the topics covered, and the training presenters:  
**CWP webcasts:** 4/9/14, Design & Construction of BMP's; 5/21/14 - BMP Maintenance; 10/8/14 - Managing TMDL's; 11/12/14 - Retrofitting Ponds & SW Basins; PADEP MS4 & TMDL Workshops Feb & March 2015. PennDOT - Dec 2014 - SWM Seminar - outfall mapping. DBVA/CCWRA Quarterly meetings for implementation of Christina Basin TMDL plan.

### BEST MANAGEMENT PRACTICES (BMPs)

Provide an assessment of the appropriateness of the BMPs implemented to date, and identify any steps that will be taken to address deficiencies in the BMPs or make changes to BMPs or other aspects of the SWMP developed by the permittee.

#### MS4 TMDL Plan

#### Chesapeake Bay Pollutant Reduction Plan (CBPRP)

Is the permittee required to develop an MS4 TMDL Plan?

☒ Yes ☐ No

Is the permittee required to develop a CBPRP?

☐ Yes ☒ No

What is the status of the TMDL Design Details (if applicable)?

- ☐ Under Development (Due Date: )
- ☒ Submitted to DEP (Submission Date: **Sept 2012 strategy only**)
- ☐ Approved by DEP (Approval Date: )

What is the status of the CBPRP (if applicable)?

- ☐ Under Development (Due Date: )
- ☐ Submitted to DEP (Submission Date: )
- ☐ Approved by DEP (Approval Date: )

For permittees with DEP-approved MS4 TMDL Plans and/or CBPRPs, describe progress with implementing BMPs and other activities identified in those plans:

N/A

For permittees with DEP-approved MS4 TMDL Plans and/or CBPRPs, complete the section below. Identify the required pollutant reductions (for those with MS4 TMDL Plans) or pollutant reductions committed to by the permittee (for those with CBPRPs) and the cumulative reductions achieved through implementing the BMPs, as of the end of the reporting period:

N/A

[illegible]

### OTHER REQUIRED REPORT ELEMENTS

Identify the progress towards achieving the statutory requirements of reducing the discharge of pollutants to the Maximum Extent Practicable (MEP) and complying with water quality standards.

Continue to provide information to residents related to use of rain gardens, good lawn care, etc. as well as continue to participate with BVA, Brandywine Conservancy in the development of their programs and encourage farmers to develop and implement BMP's and Conservation Plans.

Refer to Public Works summary Reports related to maintenance of the Township roads, roadside swales, ditches and stormsewers, as well as maintenance of vehicles and equipment.

The Township enlists the services of a street sweeper 4x/yr. The received a grant to purchase a new leaf pickup/vacuum truck which will also assist in the maintenance of the storm sewer inlets.

Provide a summary of stormwater activities planned during the next reporting cycle (not identified previously in this report):

Potential consideration of the new Riparian Buffer standards developed by the Brandywine Conservancy

In January The Township applied for a \$5,000 Grant from the Delaware Dept of Environmental Control to fund the design and installation of a rain garden

Provide a summary of notices, intergovernmental agreements and other relevant documents if the permittee is relying on another governmental entity to satisfy any of its permit obligations

None

### CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowledge of violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Joseph Pomorski, Chairman

Name of Responsible Official

610-384-7144

Telephone No.

Signature

Date



**Appendix for MCM #1**  
**Public Education and Outreach Materials**

- **Brandywine Valley Association Annual Report Year 12**
- **Public Education and Outreach Plan – BVA**
- **Flyer published in Newspaper April 1, 2015 by BVA**
- **Stormwater/MS4 Display from website**

## MS4 ANNUAL REPORT - YEAR 12

For the following municipalities in Chester County:

|                           |                          |
|---------------------------|--------------------------|
| Avondale Borough          | Parkesburg Borough       |
| Caln Township             | Penn Township            |
| City of Coatesville       | Pennsbury Township       |
| Downingtown Borough       | Pocopson Township        |
| East Bradford Township    | Sadsbury Township        |
| East Brandywine Township  | South Coatesville        |
| East Caln Township        | Thornbury Township       |
| East Fallowfield Township | Upper Uwchlan Township   |
| Uwchlan Township          |                          |
| Franklin Township         | Valley Township          |
| Honey Brook Township      | West Bradford Township   |
| Kennett Square Borough    | West Brandywine Township |
| Kennett Township          | West Caln Township       |
| London Grove Township     | West Chester Borough     |
| Londonderry Township      | West Goshen Township     |
| New Garden Township       | West Pikeland Township   |
| New London Township       | West Whiteland Township  |

THIS YEAR'S FORM IS Rev. 4/2014

UNDER GENERAL MCM INFORMATION ON PAGE 2

MCM # 1 - Public Education and Outreach contact name:

Brandywine Valley Association 610 793 1090

Robert Struble 610 793 1090 [rstruble@bva-rcva.org](mailto:rstruble@bva-rcva.org)

MCM# 2 - Public Participation and Involvement contact name:

Brandywine Valley Association 610 793 1090

Robert Struble 610 793 1090 [rstruble@bva-rcva.org](mailto:rstruble@bva-rcva.org)

### MCM# 1 PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS (page 2)

BMP # 1 - Municipalities should reference a written Public Education Plan (see attached). Update information on your public education plan and activity over the past year.

Continue public education and outreach

- Stormwater ad in Daily Local News sponsored by municipalities above on April 1, 2015.
- Link to DEP stormwater website ([www.depweb.state.pa.us](http://www.depweb.state.pa.us) keyword Stormwater), Chester County Water Resources website, and BVA website on your website.

- Note articles on stormwater and related subjects in your municipal newsletter.
- Educational programs given by BVA on water topics included 4,385 students.
- Educational programs given by Paradise Farm on water topics included 5,490 students.
- Red Streams Blue projects in the Brandywine included Plum Run in East Bradford Township, Little Buck Run in Parkesburg, Radley Run in Thornbury Township, and Upper West Branch in Honey Brook Township. Information is on the BVA website under Red Streams Blue. Rain Gardens were installed in Pennsbury Township and East Fallowfield Township.
- Red Streams Blue projects in the Red Clay included East Branch in East Marlborough Township and a tributary to East Branch in Kennett Township, and rain gardens in Kennett Borough. Information is on the Red Clay Valley Association website under Watershed Programs.
- Note any articles in the newspaper on stormwater activities, municipal newsletter articles, website information, materials at your municipal offices or other locations such as libraries. Note your membership in conservation organizations such as BVA.
- BVA member mailings of newsletters (1300)
- RCVA member mailings of newsletters (600)

## **MCM # 2 PUBLIC INVOLVEMENT/PARTICIPATION**

BMP # 1 - Update your PIPP – Develop a written Public Involvement and Participation Plan (PIPP) (See Attached)

How and when did you solicit public input/involvement

- Note relevant community/township days where information was presented. BVA presented at Pocopson and Uwchlan Townships. Information on stormwater management, water quality, lawncare, riparian buffers and stream restoration was discussed and distributed.
- Volunteer Cleanups – Brandywine Cleanup April 25, 2015 with 181 participants.
- Red Clay Cleanup March 28, 2015 with 790 participants.
- Volunteer stream monitoring groups on Buck Run, Radley Run, Plum Run, Broad Run in the Brandywine, and on the East Branch Red Clay. Stroud Water Research Center is monitoring the Upper West Branch in Honey Brook Township, the Little Buck Run in Sadsbury Township, the Red Clay in East Marlborough Township, and Plum Run in East Bradford Township.
- Beaver Creek, Uwchlan Hills, East Ward, Brandywine Wallace, Lionville, and Shamona Creek Elementary Schools in the Downingtown School District participated in Red Streams Blue program (585 students).

# PUBLIC EDUCATION AND OUTREACH PLAN

(NAME OF MUNICIPALITY)

**GOAL:** To achieve measurable improvements in the target audience's understanding of the causes and impacts of stormwater pollution and the steps they can take to prevent it.

## PLAN ELEMENTS:

### DETERMINING THE NEED FOR EDUCATION AND SOURCES OF MATERIALS

- A. Develop a survey to assess the understanding of stormwater issues by municipal residents and staff. Include elements of the MS4 and the TMDL programs.
- B. Circulate the survey to residents and staff through communication channels such as mailings, email, or website.
- C. Use the results of the survey to source educational materials that will increase the public's knowledge of stormwater issues and the practices that can be applied. Information sources include the Chester County Water Resources Authority, Chester County Conservation District, watershed associations, DEP, and EPA. Include information on all six MCMs.

### DEVELOPING A TARGET AUDIENCE FOR THE EDUCATION PROGRAM

- A. Create lists to include all individuals and groups to receive education
  - 1. Municipal officials
  - 2. Municipal staff
  - 3. Municipal residents
  - 4. Schools
  - 5. Colleges and Universities
  - 6. Businesses, especially those contributing to the stormwater system
  - 7. Places of Worship
  - 8. Service Clubs
  - 9. Developers and Builders
  - 10. Engineering firms
  - 11. Others
- B. Using the list of individuals and groups, create a spreadsheet of these contacts and track the dates and types of information sent. Update regularly.
- C. Create a mailing list and email list for the target audience and update regularly.

## DEVELOPING THE MESSAGE

- A. Develop an annual publication schedule with items to be created or sourced, dates of publication, and means of communication. Use results of the public survey to select educational materials.
- B. Create a tracking system to document each item published and update regularly.
- C. Provide a link to stormwater information. The Chester County Water Resources Authority website ([www.chesco.org/water](http://www.chesco.org/water)) and the DEP website ([http://www.portal.state.pa.us/portal/server.pt/community/stormwater\\_management/21377](http://www.portal.state.pa.us/portal/server.pt/community/stormwater_management/21377)) have examples of educational materials.
- D. Compare materials with other municipalities and develop materials that can be used by multiple municipalities. Work with public agencies and watershed organizations to develop materials.
- E. Include education information on all 6 of the Minimum Control Measures
- F. Review and update published items annually.

## DEVELOP A DISTRIBUTION SCHEDULE FOR EDUCATION MATERIALS

- A. Create a list of distribution methods to include displays, posters, signs, pamphlets, booklets, brochures, radio, local cable TV, newspaper articles, presentations, and giveaways.
- B. Use at least two of these methods annually in addition to newsletters and website.
- C. Maintain records of all distributed materials including item distributed, date distributed, recipient, number distributed, and method of distribution. Provide this information to DEP in annual reports.
- D. Leverage distribution by partnering with watershed and environmental education organizations on education information.
- E. Utilize schools as a means of distribution of materials.

## MEASURE PUBLIC UNDERSTANDING OF STORMWATER CAUSES AND IMPACT

- A. Circulate survey to target audience annually
- B. Compare results of survey to previous year
- C. Focus future education efforts on stormwater management issues where public knowledge is not improving.

## PUBLIC EDUCATION AND OUTREACH PLAN

### LIST OF ITEMS AND FORMS TO DEVELOP

1. Survey to measure public understanding of stormwater management
2. List and sources of educational resources used
3. List of Target Audience
4. Audience Contact Chart :

| <u>NAME</u> | <u>PHONE</u> | <u>EMAIL</u> | <u>DATE CONTACTED</u> | <u>FORM OF CONTACT</u> |
|-------------|--------------|--------------|-----------------------|------------------------|
| Org xyz     | 610 xxx      | xyz@...      | May 1, 2014           | email material         |

5. Mailing List for Target Audience

6. Publication Schedule:

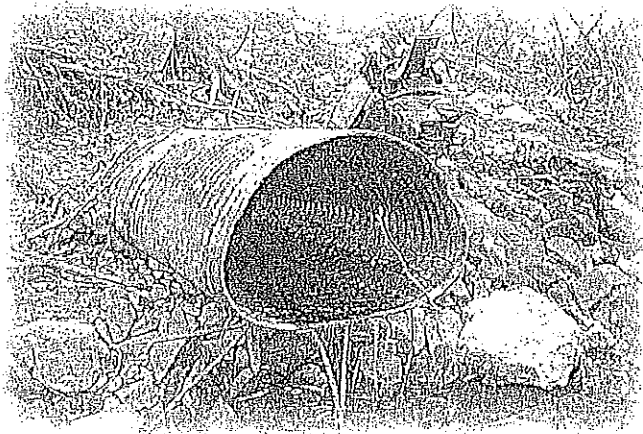
| <u>Publication</u> | <u>Date Published</u> | <u>Method of Publication</u> | <u>Audience</u>   |
|--------------------|-----------------------|------------------------------|---|
| Newsletter         | May 25, 2014          | Print - mail and email       | XYZ organizations (Total #)<br>Residents ( Total #)<br>Businesses (total #) |

7. Distribution Schedule:

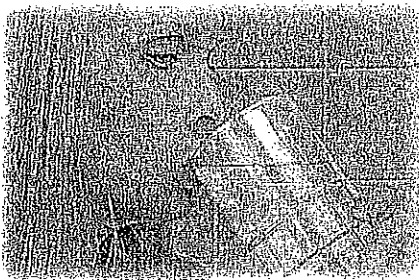
| <u>Item</u> | <u>Date Distributed</u> | <u>Method of Distribution</u> | <u>Recipients</u> | <u>Quantity</u> |
|-------------|-------------------------|-------------------------------|-------------------|-----------------|
| Flyer       | July 1, 2014            | Community day                 | Residents         | # distributed   |

# Stormwater Is Everybody's Business

Stormwater picks up debris, chemicals, dirt, manure and other pollutants as it flows over surfaces such as driveways, roads and lawns. Without proper stormwater management, this polluted runoff flows untreated into our streams, rivers and wetlands.



## Polluted stormwater runoff is the greatest threat to clean water!



*Residents, municipalities, businesses and developers need to work together to prevent stormwater pollution.*

### **Our streams and rivers supply**

- Water for drinking
- Water for fishing
- Water for swimming
- Water for canoeing and boating
- Water for wildlife



BRANDYWINE  
VALLEY  
ASSOCIATION

For more info call  
Brandywine Valley Association

610-793-1090

or visit our website at  
[www.brandywinewatershed.org](http://www.brandywinewatershed.org)

### *Sponsored and Paid for by:*

Avondale Borough  
Cain Township  
City of Coatesville  
Downingtown Borough  
East Bradford Township  
East Brandywine Township  
East Cain Township  
East Pallowfield Township  
Franklin Township

Honey Brook Township  
Kennett Square Borough  
Kennett Township  
London Grove Township  
Londonderry Township  
New Garden Township  
New London Township  
Parkesburg Borough  
Penn Township

Pennsbury Township  
Pocopson Township  
Sadsbury Township  
South Coatesville Borough  
Thornbury Township  
Upper Uwchlan Township  
Uwchlan Township  
Valley Township  
West Bradford Township


West Brandywine Township  
West Cain Township  
West Chester Borough  
West Goshen Township  
West Pikeland Township  
West Whiteland Township

[HOME](#) • [DEPARTMENTS](#) • [NEWS](#) • [AGENDAS/MINUTES](#) • [ORDINANCES](#) • [RE](#)

## EAST FALLOWFIELD TOWNSHIP

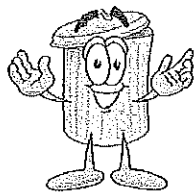


2264 Strasburg Road  
East Fallowfield, PA 19320  
610-384-7144  
610-384-7143 (fax)  
Monday - Friday, 8am - 4pm

Find us on Facebook 

## Online Trash Payments

Now you can pay  
your trash bill online  
with a credit card  
or your bank account!



Click here to pay online.  
2015 Payments Only

## Upcoming Events

- Hist. Comm. Workshop  
20-May-2015 6:30 pm

## Stormwater Management

Every Pennsylvanian plays a role in keepi

Click here to read the Fall 2013 Issue of Townships Today

In this quarter's issue, we focus on stormwater manager  
clean, particularly now that the federal government is tig  
educates residents about runoff but also includes useful

## Stormwater Management Program MS4

- Chester County Conservation District
- Chester County Stormwater Management
- Department of Environmental Protection Stormwater
- EPA Stormwater Management
- EPA Stormwater BMP Menu
- EPA Stormwater Program Overview
- EPA - Pollution Prevention for Businesses: Environme
- EPA Water Homepage
- EPA Water Pollution Prevention and Control
- EPA Stormwater Homepage
- EPA MS4 Main Page
- EPA Watersheds
- Maintain Your BMPs
- MS4 Fact Sheets
- National Menu of Stormwater Best Management Pra
- NPDES Permit Program Basics
- Polluted Runoff: Nonpoint Source Pollution
- Stormwater Outreach Materials and Reference Docu
- Villanova University Stormwater Management Inform



## **Appendix for MCM#2**

### **Public Involvement & Participation**

- **BVA PIPP for 2014**
- **Portions of BOS monthly reports indicating discussions on Stormwater and MS4 related issues**
- **Pictures of completed Rain Garden**

## PUBLIC INVOLVEMENT AND PARTICIPATION PLAN

(NAME OF MUNICIPALITY)

**GOAL:** To develop, implement, and maintain a written Public Involvement and Participation Plan that encourages the public's participation in stormwater planning and management.

### PLAN ELEMENTS:

#### DEVELOPING OPPORTUNITIES FOR PUBLIC PARTICIPATION

- A. Identify and list opportunities for the public to participate in the MS4 program.
- B. Identify and list communication methods to the target audiences. The audience should include municipal residents, municipal officials and staff, businesses, churches, watershed organizations, and related agencies. Phone, email, mail, and websites are good means of communicating with these groups. Occasional meetings should also be arranged. Maintain records of contacts with these groups.
- C. Maintain a record of public participation activities noting number of participants, date and location of activity, and quantify the results of the activity.
- D. Determine impact of activity on MS4 program to evaluate results.
- E. Maintain a list of notices and invitations for participation distributed each year to document efforts to engage public. Report the results to DEP in the annual report.

#### DEVELOPING PUBLIC NOTICE AND INPUT ON STORMWATER ORDINANCES

- A. Develop a protocol for advertising and reviewing proposed stormwater ordinances.
- B. Create a form to list proposed stormwater ordinances, date of ordinance advertisement, date reviewed by the municipality, public comments and municipal responses, and date adopted.
- C. In addition to newspaper advertisement, notify public through the website and other electronic means available to the municipality.
- D. Review and update protocol annually.

## COMMUNICATING STORMWATER ORDINANCE ACTIONS TO THE PUBLIC

- A. Hold at least one public meeting annually to solicit public involvement and participation in the stormwater management program.
- B. Notify target audience directly and through municipal website and postings in public locations.
- C. Use the public meeting to present a summary of progress, activities, and accomplishments through implementation of the Stormwater Management Plan (SWMP)
- D. Solicit feedback from the public on the SWMP.
- E. At meeting document and report cooperation and participation with other organizations and participation of public in supporting the implementation of the SWMP. Activities could include cleanups, storm drain stenciling, water quality monitoring, and educational activities.
- F. Summarize the meeting in writing and post on the municipal website.

# PUBLIC INVOLVEMENT AND PARTICIPATION PLAN

## LIST OF ITEMS TO DEVELOP

1. List of opportunities for public participation
  - List specific public participation opportunities
  - List specific audience that received the information on participation
  - List means used to communicate information on participation
2. List of groups to receive communications
3. List of communications sent
4. Stormwater Ordinance adoption protocol
  - Advertise ordinance
  - Notify list of target audience
  - Put information on website
  - Review by municipality
  - Public Meeting/Hearing
  - Response to public comment
  - Report municipal action
5. Hold a meeting annually to discuss stormwater management plans and actions.

Community. They were wondering what recommendations we had made. We responded that there were no recommendations.

Buddy Rhoades added some additional comments to Joe McCormick's statement. There were comments about fixing the Mortonville Bridge and the township apply for a grant. The comment was that the grant opportunity deadline is April 2<sup>nd</sup>. Ed Porter said maybe we'll be able to do it next year.

#### M. Planning Commission

##### a) Planning Commission report

DISCUSSION: Dennis Crook summarized the report for the Planning Commission. Areas of concern included Scott Farm Estates, BAWA (sewage planning modules) and Hope Community. A problem exists because there is no procedure book in place to keep the flow of information on how things are to be done.

#### N. NEW BUSINESS

##### a) A Temporary employee was hired from Randstad at \$19.57 per hour to help in the office beginning on March 5, 2014.

MOTION: A retro-active motion was made to hire a temporary administrative assistant at \$19.57 per hour to help in the office beginning on March 5, 2014. Seconded.

PASSED: 5-0

##### b) The meet and greet for the COG (Chester County Council of Governments) was cancelled this past Friday. We received an e-mail saying they would be rescheduling.

##### c) Frog Hollow Bridge Update. Ed Porter referred to a letter he received. He spoke with PennDOT and got some additional information. An emergency action plan is needed, along with an inspection of the bridge. Tag commented that he had a book with all the bridges in the township and when they were last inspected.

##### d) Township newsletter. Ed Porter commented that the last township newsletter was done in 2011. The residents really liked having it to update on what is happening in the township since some of the residents do not have internet access. He spoke with Michael Green to see if he had any interest in doing a newsletter like he did before. He said he would be willing to do it again. Ed Porter will call and invite Michael Green to the next workshop to discuss the possibility of doing another newsletter.

##### e) Memorial Day & Park Day Events. Hats off to Hero's Day is coming up. Jeannie Berlin handles that at Park and Recreation. We should continue Park Day because the residents really enjoyed that. Maybe we could get Park and Rec to handle that.

##### f) Prepaid Credit Card. The township no longer has a credit card because it needs a responsible party's name on it and it affects the individual's credit rating. The suggestion was made to get a prepaid credit card for township use. We can authorize Rosemary Moore to purchase that. Mrs. Moore said that she would have to check to see if she can use a township check to purchase the credit card.

#### O. PUBLIC PARTICIPATION

COMMENTS:

- a) Bob King made the comment that he would like to compliment the road crew for their hard work. The Board echoed the compliment.
- b) John DiAngelo suggested having the township police and fire company's contact information listed in the newsletter in case residents want to contribute.
- c) Siti Crook suggested hiring an intern to take care of some of the updates on the website. She also asked why the brush removal can't be incorporated into the trash fee. She was told that the township contracts out the trash removal. It would also be unfair to the people who do not use brush removal to increase their fees.
- d) Buddy Rhoades made comments regarding the replacement of security cameras. He also made comments on the covered bridges in the township.

P. ADJOURNMENT

MOTION: There was a motion made to adjourn. Seconded.

PASSED: 5-0

Respectfully Submitted,

Pamela Barnes  
Temporary Administrative Assistant

**EAST FALLOWFIELD TOWNSHIP**  
**BOARD OF SUPERVISORS MEETING**  
April 22, 2014 Approved minutes  
6:30 PM

**Members Present**

Joe Pomorski, Chairman  
Steve Herzog, Vice Chairman  
Mark Toth, Member  
Ed Porter, Member  
Charles Kilgore, Member

**Township Staff Present**

Lisa Valaitis, Township Secretary  
Rosemary Moore, Township Treasurer

**Township Solicitor**

Bob McClintock

**1. CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE.**

Chairman Joe Pomorski called the meeting to order at 6:30 pm. Steve Herzog seconded.

**2. Discussion**

A. EXECUTIVE SESSIONS: The public was informed that there were Executive Sessions held on March 27<sup>th</sup>, March 31<sup>st</sup>, and April 1<sup>st</sup> and April 22<sup>nd</sup> regarding personnel issues.

B. Hiring of Township Secretary

MOTION: Joe Pomorski made a motion to hire Lisa Valaitis as the Township Secretary as of April 22, 2014, for \$16.00 per hour. Steve Herzog seconded.

VOTE PASSED: 5-0

C. Appointment of Right to Know Officer

MOTION: Joe Pomorski made a motion to appoint Lisa Valaitis as Right to Know officer. Steve Herzog seconded.

Ed Porter voiced a concern about Lisa Valaitis being a new employee. Rosemary Moore explained that she had received approximately ten Right to Know requests this year – each taking 1 to 10 minutes to complete.

VOTE: Joe Pomorski, Steve Herzog, Mark Toth and Charles Kilgore voted yea, Ed Porter voted nae.

PASSED: 4-1

D. Township Newsletter

DISCUSSION: Michael Green stated that he would like to volunteer to do a township newsletter. He feels a township newsletter would give the residents a sense of community. He proposed that the newsletter would include community events, information such as compost site hours as well as encourage residents to participate more in community events. Joe Pomorski thanked Michael Green for volunteering.

**3. POLICE DEPARTMENT**

Chris Porter, Police Chief reported that there were 214 incidences, 30 citations and quite a few training sessions in March.

Chris Porter brought a motion to the board to hire John O'Donnell for the position of Part-Time Police Officer as of April 22, 2014 at the hourly rate of \$23.20 per the CBA for between 8-20 hours a week. Chris Porter stated that this part-time position is to replace a full time position and to help cover shifts.

under the agreement (phase 1 & 2), Dewey has the responsibility to maintain the roads by keeping them plowed and in good repair until the Township takes dedication. Bob McClintock stated that the Township is not at the point where it can release the escrow money because there is still outstanding work. The Township has the option to take legal action against Dewey and file a lawsuit against them for not satisfying the agreement.

Ed Porter suggested the Board reach out to Eric Schrock and invite him to a meeting. Jim Rowland of the Manchester Farms HOA informed the Board that Eric Schrock is no longer with Dewey. Jim Rowland said the new person at Dewey requested that the Manchester Farms HOA meet with him before spending legal fees.

Jim Rowland of the Manchester Farms HOA requested that the Board release some funds to get Dewey to do the road work. He requested that the Board review the escrow amount and inspect the roads to come up with an estimated cost.

Charles Carter requested that Bob McClintock review the agreement with Dewey and the Township take aggressive action against Dewey.

Joe Pomorski said that he believes that trying to work it out without legal action is wiser.

Charles Carter asked if the Board could set a time limit before legal action is taken against Dewey.

Ed Porter asked Bob McClintock how long it usually takes in the courts. Bob responded that if the Board wants to take legal action against Dewey, it will most likely not be resolved before next winter.

Jim Rowland voiced a concern about children getting hurt when their bikes hit the manhole covers in the street.

Chris Della Penna asked that Bob McClintock contact Dewey's legal counsel, Ronald Agulnick. Mr. McClintock said that he would contact Ronald Agulnick to let him know the board would like to talk to him.

## 7. SOLICITOR REPORT

Bob McClintock stated that there have been a few articles in The Daily Local about adoption of storm water ordinances. Recently West Vincent Township decided not to adopt it and West Whiteland Township has adopted it. Seventy percent of municipalities in Chester County have adopted a revised storm water ordinance.

## 8. LEGAL ISSUES

- A. Adoption of Ordinance 2014-01 – Ordinance requiring all individuals or entities utilizing credit cards or debit cards for payment of delinquent municipal claims to pay the charges or fees associated with the transaction.

MOTION: Joe Pomorski made a motion to adopt Ordinance 2014-01, amending the Municipal Claims and Tax Liens Act, authorizing individuals or entities utilizing credit cards or debit cards for payment of delinquent municipal claims to pay the charges or fees associated with the transaction. Seconded.

Ed Porter asked Bob if there is anything that protects the Township from chargebacks.

Bob McClintock stated that it gives Portnoff the ability to charge the property owner whatever their charge is for accepting credit cards. Portnoff takes the fee and recovers it when they get paid.

VOTE PASSED: 5-0

- B. Moser – Northwood escrow release request – Bob McClintock stated that Chris Della Penna has recommended a payment release of \$6,936.64 from the escrow account. That would leave us a balance of \$6,000 in the account.

MOTION: Joe Pomorski made a motion authorizing the Township to release \$6,936.64 from the established security. Steve Herzog seconded.



Jonathon Penders stated that they are hoping to have final approvals at the July meeting so they can settle and get the first Phase paved before winter. Sewer would be done in the fall. S. Cain Road would have only have to be shut down in one direction to complete the sewer work.

ACTION: Rouse/Chamberlin Ltd will attend the Board of Supervisor workshop on June 10, 2014.

Buddy Rhoades asked a question about having public participation at the workshop meeting.

#### I. CCATO – Act 167 Deadline –

Bob McClintock gave a synopsis of the Act 167 deadline. The deadline to adopt Act 167 was January 2014. DEP has given a six month extension until July 1, 2014 to adopt the act. It is not clear what the DEP will do about those townships that have not adopted Act 167. It has been suggested that the DEP will not take any formal action if a township is in the process of adopting the act after July 1, 2014.

Ed Porter asked if Act 167 could impact Rouse/Chamberlin's development. Bob McClintock responded that it could impact them depending on the timing of the Board adopting Act 167. There are three developments that could be affected by the approval of Act 167 including Ridgecrest, Scott Farm and Bawa. Ed Porter also questioned how the Township would enforce the act if adopted and how DEP would enforce this. Citizens doing simple home projects such as building a new deck would not be effected by this act.

ACTION: The Board will discuss this again at the June 10, 2014 Board of Supervisors workshop meeting. Bob McClintock will attend this meeting.

#### J. TREASURER'S REPORT

- 1) April 30, 2014 Treasurer's report – Rosemary Moore presented the Board with the April 30, 2014 Treasurer's report.

Joe Pomorski asked a question about the budget. Rosemary Moore answered to the Board's satisfaction.

MOTION: Joe Pomorski made a motion to approve the May 31, 2014 Treasurer's report as presented. Steve Herzog seconded.

Ed Porter questioned why the Planning Commission was over budget. Rosemary Moore said she thought it was the post cards for the Comprehensive Plan meeting.

VOTE: 3-0

- 2) April 2014 payment authorizations

Rosemary Moore reported that a payment check was voided today for the DEP for a dam registration fee. Municipalities are exempt from paying dam fees on a municipality owned dam. Steve Herzog asked if we could get it in writing. Rosemary Moore answered that she could.

MOTION: Joe Pomorski made a motion to approve the May 2014 payment authorizations as presented. Steve Herzog seconded.

Ed Porter questioned a vehicle repair payment. Tag Gathercole reported that repair was for the salt spreader. Steve Herzog questioned the capital projects check. Rosemary Moore answered to the Board's satisfaction.

VOTE: 3-0

**EAST FALLOWFIELD TOWNSHIP**  
**BOARD OF SUPERVISORS WORKSHOP MEETING**  
June 10, 2014 Approved minutes  
6:34 PM

**Members Present**

Joe Pomorski, Chairman  
Steve Herzog, Vice Chairman  
Ed Porter, Member  
Mark Toth, Member

**Township Staff Present**

Lisa Valaitis, Township Secretary  
Rosemary Moore, Township Treasurer

**Township Solicitor**

Bob McClintock

**1) CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE.**

Chairman Joe Pomorski called the meeting to order at 6:34 p.m.

**2) Discussion**

A. CCATO Act 167 Deadline

Bob McClintock reported that he hasn't heard any indication of how aggressively or quickly the DEP will act after the July deadline has passed. He heard they are serious about enforcing the July deadline. He heard from sources (county and engineers in other municipalities) that the DEP will not take action if a letter is sent to them stating that the Township has it on a future meeting agenda for consideration. The process will require re-advertisement of ACT 167 ordinance for two weeks before putting it on a Board of Supervisors meeting agenda.

Steve Herzog questioned what the costs would be of adopting and enforcing Act 167. Bob McClintock suggested a cost estimate for enforcement be prepared for the July Board of Supervisors meeting. There will be no cost to the Township for the application part of enforcement because the applicant would pay for that time and review process. It is difficult to estimate costs because it's similar to building code violations which are also difficult to estimate. He suggested that the best way to estimate costs would be to look at building enforcement tied to Rob McLarnon. He also suggested looking at other townships that have adopted Act 167 to see what costs they have incurred.

**ACTION:** Act 167 will be put on the August 26, 2014 Board of Supervisors meeting agenda. Bob McClintock will draft a letter for the DEP. The proposed ordinance will be advertised in August. Cost estimates will be prepared for the July 22, 2014 meeting.

B. Dewey – Manchester Farms

Bob McClintock stated the balance in escrow on Phase 2 on the report is actually higher because the amount under "This Release" has not been released. Chris Della Penna confirmed that the \$31,110 has not been released.

Joe Pomorski reported that he had been playing telephone tag with Dan Dougherty at Dewey. Neither Dan Dougherty nor the two Dewey brothers were able to attend the meeting. Joe Pomorski left a message with Dan Dougherty requesting his attendance at the June 24<sup>th</sup> meeting. He is hopeful Mr. Dougherty will attend on the 24<sup>th</sup>.

Chris Della Penna reported that Phase 1 still has some Punch List items that need to be done which are mostly grading issues on properties. Everything has been done for the escrow release. The road work is what remains to be done in Phase 2. Chris Della Penna had strongly urged Dewey to be present at this meeting. He feels the

2) Mortonville Road – Draft Boring Logs from Earth Engineering Incorporated presented for Board review.

DISCUSSION: No action can be decided because the report is a draft and there were no recommendations or costs in this report. Charles Kilgore reported that Frog Hollow Road has similar problems/damage as Mortonville Road. This road will probably need to have an evaluation done as well.

#### E. CITIZENS BY REQUEST

##### 1) Charlie Carter –

Charlie Carter reported he had reviewed copies of the Escrow Agreement and the original Subdivision Agreement for Manchester Farms. He read in the Escrow Agreement that the escrow contingency portion is not supposed to be given to a developer until the development is finished, dedicated and maintenance bonding is in place. Mr. Carter stated that he feels the Board has taken appropriate action by not releasing the escrow contingency money to Dewey.

Charlie Carter suggested several courses of action to pursue with Dewey:

- a. The Township request money from the escrow accounts if certain criteria is met.
- b. The Township put Dewey on notice that they will be in default of their agreement if they continue to refuse to communicate with the Township. Bob McClintock recommended that if the Township puts Dewey on notice that the Board needs to be prepared to follow through with legal action. This further hinders any negotiations.
- c. Get base road repairs done before winter to prevent further damage. The roads won't last through the upcoming winter.
- d. Send a letter to Dewey stating the current condition of the roads.

ACTION: Tag Gathercole will calculate cost estimate of road work in Manchester Farms. The estimated cost will be compared to the remaining escrow balance. The Board will continue to reach out to Dewey. Bob McClintock will send a letter to Dewey stating the current road conditions in Manchester Farms.

#### F. SOLICITOR REPORT – Nothing to report.

#### G. LEGAL ISSUES

##### 1) Act 167 Model Stormwater Ordinance –

DISCUSSION: Bob McClintock reported that the DEP sent a letter to municipalities in Chester County granting an extension until July 1, 2014 for townships to adopt Act 167 Stormwater Ordinance. The DEP will take action against municipalities that have not adopted Act 167 Stormwater Ordinance by July 1, 2014. However, the DEP will accept a letter from townships stating that they are considering adoption of Act 167. Ed Porter voiced a concern about how the Township will be able to afford implementing the stormwater management system. Bob McClintock explained that a township's costs will depend on how much enforcement that township does. A township can opt to investigate complaints as needed. There are municipalities that have incurred no costs since adoption of Act 167 six months ago. This method will cause more fluctuation in yearly costs. There are also municipalities that have spent thousands of staff hours documenting stormwater facilities and tracking facilities. This approach gives townships more stable costs in future years because problems will be smaller and less expensive to fix.

ACTION: The Board will invite Jan Bowers, of Chester County Water Resources Authority, to attend the July 22, 2014 Board of Supervisors meeting to provide more information on Act 167 Model Stormwater Ordinance. The Board will put Act 167 Model Stormwater Ordinance on the August agenda for discussion on advertising for adoption.

##### 2) Collective Bargaining with the newly certified Public Works Union –

DISCUSSION: The counsel firm for the newly certified Public Works Union would like to start bargaining for an initial collective bargaining agreement in July. Bob McClintock advised the Board to obtain special

#### D. CITIZENS BY REQUEST

- 1) Ted McLaughlin – Ted McLaughlin represented the residents of Horizon Drive. Weaver Mulch is looking to have their farming equipment go through Horizon Drive and access their fields through the cul-de-sac. Mr. McLaughlin turned in a petition signed by residents of Horizon Drive against allowing Weaver Mulch farm equipment to gain access to their property through Horizon Drive. Bob McClintock, Township Solicitor, will research the regulations regarding use of farm equipment on roadways.
- 2) Denise Carter – Denise Carter, of the Branford Village HOA (Home Owner's Association), spoke about solicitation in Branford Village. She stated there is a huge solicitation problem in Branford Village. She has a solicitor at her door at least once a week. Ms. Carter requested the Township no longer grant permits to solicitors in Branford Village. Bob McClintock explained that the Township is unable to fulfill this request because commercial speech is a first amendment right. Municipalities are very limited and can regulate solicitation but cannot prevent it. Bob McClintock stated that it is up to the private property owner to put up "no solicitation" notices on their property. Property owners also need to try to enforce it. Bob McClintock suggested that residents tell unwanted solicitors that the HOA has a no solicitation policy and if they are seen soliciting, the HOA will bring trespass action against them.
- 3) Charlie Carter – Charlie Carter brought up four questions/issues in regard to Manchester Farms:
  - a. Follow up on last month's action items – The Township Engineer should complete a current inspection of the road conditions in Manchester Farms. The Board will follow up with Tag Gathercole about getting an estimated cost of road repairs. Dewey will need to be notified that the roads are in disrepair.
  - b. Is Dewey in default of the Escrow Agreement and Subdivision Agreement - Charlie Carter requested the Township Solicitor to look at the Escrow Agreement and Subdivision Agreement with Dewey and offer an opinion on whether Dewey is in default of those agreements. Bob McClintock responded that, in his opinion, Dewey is in default based on the requirement that they are to maintain and plow the roads. They have not done that which puts them in default. Therefore, the Board has the option to take action against Dewey. Bob McClintock also said that even though Dewey is in default, there are many other issues that the Board is taking into consideration before taking action such as Dewey's obligation in regard to the intersection of West Chester Road and S. Caln Road.
  - c. Permanent Extension Act – Charlie Carter asked if the Permanent Extension Act is protecting Dewey. Bob McClintock explained that the Permanent Extension Act does not protect Dewey from default. Dewey is still in default of their agreement to maintain the roadways.
  - d. Escrow Agreement and Subdivision Agreement – Charlie Carter asked if the Township should look at charging increases in the escrow account. He mentioned reading in the agreements that 10% of the escrow can be increased every year after one year past the escrow date. Bob McClintock said that we would simply not get it from Dewey. They would not provide for increase in security. There are easier ways to take action. The Township has repeatedly asked Dewey to participate in discussions and attend Board meetings in an attempt to resolve this situation:

#### E. SOLICITOR REPORT – Nothing to report.

#### F. LEGAL ISSUES

- 1) Act 167 Model Stormwater Ordinance – Jan Bowers – Jan Bowers, Executive Director of Chester County Water Resources Authority, spoke about Act 167 Stormwater Ordinance. She is responsible for handling water resource management for Chester County, however, she is considered a separate entity from the County. She works closely with all the municipalities in Chester County on water resource issues with stormwater management being her primary responsibility. She works with municipalities to meet regulatory requirements in a cost effective method. Jan Bowers is not an agent of DEP. As of 2012, the MS4 permits are requiring more extensive municipal stormwater ordinance requirements. Rather than have each

municipality work independently with DEP to meet these new MS4 requirements, Jan Bowers asked local municipalities if they'd like her department to develop a county-wide ordinance under the Act 167 process. She received an overwhelming "yes" response. By working together collectively, municipalities had more leverage with DEP than they would on their own. Jan Bowers was able to get DEP to be more flexible with standards and requirements.

Jan Bowers explained the DEP standards under Act 167 Stormwater Ordinance. Work under 1,000 feet of new impervious surface has no change in requirements. Any work with new impervious surface of 1,000 feet to 2,000 feet will require the owner to capture and keep on site the first inch of runoff with a rain garden or barrel. Over 2,000 feet of new impervious surface will require full engineering, design and review. DEP originally wanted all new impervious surface work to require full engineering, design and review. Agricultural operations are exempt. Municipalities will need to review property work of over 2,000 feet of new impervious surface. More frequent inspections will need to be done. There will be some additional administrative costs to both municipalities and residents.

Ms. Bowers said there are some future benefits to adopting Act 167 Stormwater Ordinance. There will be less stormwater problems in the future and therefore less costs and time involved. Future drainage problems will be avoided because development and changing land grading will require notification of the owner of downgrading problems. The Township will need to take actions to remove pollutants from water before it leaves roadways and storm sewers until the state delists us. It will cost more in the future to manage water pollutants if nothing is done now.

Jan Bowers stated that she was contacted last week by DEP. The DEP gave municipalities a six month extension to adopt Act 167 Ordinance. As of July 1<sup>st</sup>, the DEP is looking at townships that have not adopted the ordinance and deciding what action to take. Jan Bowers reported that 68 of 73 municipalities in Chester County have adopted Act 167 Stormwater Ordinance. Four municipalities have responded to DEP with a timeline of 2 months until adoption. East Fallowfield Township has not responded to DEP. Not adopting Act 167 Stormwater Ordinance will have possible consequences of losing state funding (liquid fuels) and being fined for non-compliance of MS4 permits. The Township is 200 days non-compliant since January 1<sup>st</sup>.

- 2) Collective Bargaining with the newly certified Public Works Union – Bob McClintock will reach out to the Public Works Union counsel and try to schedule an initial meeting with the Board.
- 3) Chester County Permit Application for Co-Location of Vermeil Tower – Chester County is looking to co-locate their tower on the Vermeil Tower. Their attorney had submitted a request for Rob McLarnon to review and see if pursuant to a recent statute, that co-location doesn't need to go through zoning approval. Both Rob McLarnon and Bob McClintock don't believe it qualifies under the statute plus there are some other issues. Bob McClintock will be drafting a letter to Chester County stating why it doesn't comply and that they need to come before the Board for conditional use.
- 4) Resolution – Act 537 – MacCombie made a last minute discovery of a potential grant which would provide funding of \$27,000 for the Act 537 adoption process. They are allowing municipalities extra time to adopt the resolution. Due to no quorum, this resolution cannot be passed at this meeting. Bob McClintock will contact MacCombie to find out when this resolution needs to be adopted.

#### G. PLANNING COMMISSION

- 1) Dennis Crook gave an update on the Planning Commission. He reported that the Planning Commission had talked to the PAWC and was informed by them that any new development after Rouse Chamberlin will not be approved for EDU's until the Township passes our Act 537 Ordinance.

Ridgecrest Project - The Planning Commission had Rouse Chamberlin appear at two meetings in July. On July 2, 2014, the Planning Commission did not have a quorum. The three Planning Commission members heard Rouse Chamberlin's presentation. On July 22, 2014, the remaining four Planning Commission members heard Rouse Chamberlin's presentation. All Planning Commission members feel that the Board

should proceed with the Ridgecrest Project. They feel that the proposed changes are minor. Rouse Chamberlin agreed to put money into escrow for building the trail in the future. The Township will have control over deciding when to build the trail. The HOA will be responsible for building the trail.

Section 1300 – Further research needs to be done in regard to Section 1300 Open Space Ordinance. The Board needs to determine if the original Open Space Ordinance was appealed and whether the new Open Space Ordinance is different from the original. It's possible this Ordinance was appealed but wasn't on the books. If the current Open Space Ordinance is truly a new version, it will need to be reviewed and brought before the Board to review or change as needed. Bob McClintock will research this issue and the timeline involved.

#### H. UNFINISHED BUSINESS

- 1) Rouse Chamberlin would like to come before the Board at the next meeting. Subject to Board approval of changes, they will be seeking to move to reporting the plan and post security at the regular August Board of Supervisors meeting.

#### I. POLICE REPORT

- 1) June 2014 Police report submitted for Board and resident review.

#### J. HISTORICAL COMMISSION

- 1) June 4, 2014 Historical Commission meeting minutes submitted for Board and resident review.
- 2) 8 Edwards Drive – proposed garage loft.
- 3) 2305 Strasburg Road – proposed renovations.

#### K. NEW BUSINESS

- 1) Office closure on Monday, July 28th and Tuesday, July 29th – The Township office will be closed on Monday, July 28, 2014 and Tuesday, July 29, 2014.

#### L. PUBLIC PARTICIPATION

- 1) Chris Makely – Chris Makely discussed the old Prang's Junkyard property. He stated that there are several underground old fuel tanks that he does not know if the Board is aware of. There was an old pumping station there and they recaptured fuel, oil, and antifreeze from vehicles brought in for scrap. There are four or five tanks buried in front of the facility area that need to be addressed. Eastco recently purchased the old Prang's Junkyard property and has been doing renovations. Mr. Makely has talked to Chris Della Penna and Rob McLarnon who have told him that proper permits have been issued for the work. If the Board wishes to move forward, they need to address these issues in conditional use.
- 2) John Davis – John Davis asked if there is any informational documents for those residents that are not computer savvy. He asked where people can get information other than online. Jan Bowers explained that most of the work done thus far on Act 167 Stormwater Ordinance has been focused on the municipalities. Now that most of Chester County's municipalities have adopted Act 167, there will be more resident questions. Some municipalities are putting together informational packets. Jan said her office is currently working on an informational flyer that municipalities will be able to give to residents. Unfortunately, there is not much printed information available yet.

ACTION: S. Caln Road and Doe Run Church Road will be put out for bid. Required advertising will be done.

- 3) Manchester Farms – Tag Gathercole presented a cost estimate to repair the roads in Manchester Farms. He estimated the cost of road repairs to be approximately \$115,000. Bob McClintock reported that there is \$98,000 in the Phase 1 Escrow Account and \$293,000 in Phase 2 Escrow Account. Bob McClintock stated that Dewey is in violation of their agreement for not maintaining the roads in Manchester Farms. Bob recently sent a letter to Dewey informing them they are in violation of their Developers Agreement for not keeping the roadways maintained. This letter fulfills the noticing requirement if the Township should want to take future action against Dewey.
- 4) Weaver's Mulch and Horizon Drive – Bob McClintock reported that he had researched the issue with Weaver's Mulch wanting to use Horizon Drive to access their property with farm vehicles. The county maps show the Weaver property may boarder Horizon Drive which would give them the right to use Horizon Drive if their vehicles are properly registered etc. Weaver's Mulch has not used Horizon Drive yet. Tag Gathercole offered to speak to Mr. Weaver about using a different route for his vehicles.

ACTION: Tag Gathercole will speak to Mr. Weaver about using an alternative route. Bob McClintock will wait for an update from Tag before researching further.

#### D. LEGAL ISSUES

- 1) Act 167 Stormwater Model Ordinance – Bob McClintock reported the DEP is seeking the Township's status on adopting Act 167. He had informed the DEP that the Township is authorizing advertisement of Act 167 Stormwater Ordinance at tonight's meeting.

DISCUSSION: Jan Bowers, Executive Director of Chester County Water Resources Authority asked the Board if they any had questions in regard to Act 167 Stormwater Model Ordinance. Ed Porter asked about brake dust (pollutants from cars) being discussed at a previous meeting. Jan Bowers said the main purpose of Act 167 is to improve management of stormwater that is created by land development. Act 167 will ensure better stormwater standards are put in place with future land development. These standards will better manage stormwater runoff to reduce flooding and erosion. Act 167 will not deal with enforcement of water quality pollution reduction standards. The Township will not be required to force landowners to do anything unless they are creating a "pollution event." Bob McClintock stated that there will be serious financial ramifications for the Township if we don't pass Act 167.

ACTION: The Board of Supervisors authorized advertisement of Act 167 Stormwater Ordinance for potential adoption at the September 23<sup>rd</sup> meeting. The Township will publish notification.

- 2) Resolution – Act 537 – Bob McClintock explained that the Resolution - Act 537 is in regard to a grant program that Jamie MacCombie's office discovered right before the deadline in mid-July. Part of the grant requirement is for the Board to pass the Resolution and authorize Lisa Valaitis, as Township Secretary, to sign the letter guaranteeing the Township will match these funds in preparing the Act 537 Plan. The Township has \$41,029 budgeted in general funds for the Act 537 Plan. The amount of the grant will be \$24,617.

MOTION: Joe Pomorski made a motion to adopt Resolution 2014-05 requesting a sewage facility grant in the Commonwealth Financing Authority and authorizing Lisa Valaitis to execute on behalf of the Township. Steve Herzog seconded.

DISCUSSION: Several questions and concerns were brought up before voting. Buddy Rhoades asked how much the grant is for and what was the cost. The grant will be for \$24,000 and the cost to apply was \$850. Siti Crook asked if the Board needs a quorum and to vote to have a special meeting. She asked if this meeting should be a public meeting as opposed to a workshop because there was no quorum at last month's Board meeting to vote. Bob McClintock answered that under Section 604 of the "Second Class Township Code", a special meeting can be called by the Chairman or a majority agreement of the Board members. The only requirement to hold a special meeting is to advertise. Dennis Crook said that he feels the Comprehensive Plan should be done before the Act 537 Plan (public sewer). He also mentioned his concern over the nitrate problem in the center of the Township. He isn't sure of the cause. Jan Bowers said she thinks the Act 537 Plan and Comprehensive Plan should be worked on simultaneously. She also said that the maps showing

reflects changes to the previous CBA as required by the award. Vince Pompo said that the terms need to be incorporated into the existing agreement. One option is to have the Board authorize Vince to put this document together and forward it to the union representative to review. The second option is that the Township could ask the union representative to draft the document and Vince Pompo would review it.

MOTION: Joe Pomorski made a motion to authorized Lamb McErlane to draft the final document for the Collective Bargaining Agreement for the police contract. Mark Toth seconded.

DISCUSSION: There was a discussion about the costs of having Vince Pompo prepare the document versus having the Police Department's legal counsel complete the document. Vince Pompo said that the cost for him to prepare the document would be the hourly rate for a few hours of work. This would be at least \$500.

Ed Porter asked if it would be worth it to send an email to the Police Association's attorney asking if he is willing to complete the new agreement. The Board agreed this should be done.

Joe Pomorski withdrew the motion.

Joe Pomorski will reach out to the Police Association's attorney to determine which firm will draft the new agreement.

MOTION: Joe Pomorski made a motion that in the event that the Association's representation does not wish to draft the new agreement, we will use Lamb McErlane to draft the agreement. Charles Kilgore seconded.

VOTE PASSED: 5-0

## G. LEGAL ISSUES

### 1) Public hearing consideration of Act 167 Stormwater Ordinance

MOTION: Joe Pomorski made a motion to adopt Ordinance 2014-02. Mark Toth seconded.

DISCUSSION: Sharon Scott requested each Supervisor on the Board state why they are approving the Stormwater Ordinance. Ms. Scott made comments stating she is against Ordinance 2014-02. Dennis Crook said the Planning Commission has been looking at water and sewer in the Township. They found that the Township has areas of high nitrates. Mr. Crook said he found a program in Carlisle, PA that offered free water testing and he had a sample of his water tested. The sample result showed 2.0% nitrates in his well water. Nine years ago his water tested at 0.7% nitrates. The EPA standard for safe water is 1.0%. He had installed stormwater management systems on his property. He believes this is taking the stormwater and burying it deeper in the ground and getting into the drinking water. He said he feels adopting Act 167 Stormwater Ordinance will make the problem worse. Jan Bowers, Executive Director of Chester County Water Resources Authority and resident of East Fallowfield Township, stated that the ordinance will protect the supply of groundwater. She said the nitrate levels are elevated in this area to begin with. The causes of elevated nitrates are septic systems and old agricultural practices before land was converted to residential. The ordinance is written to use design standards to protect water quality and recharge in the ground water to feed wells. Jan Bowers said the ordinance will have an impact on developers. Buddy Rhoades asked if anyone monitors farms and ranches. Vince Pompo stated that agriculture is exempt based on the requirement to be in compliance with Chapter 102 – the laws and regulations that require agriculture operators to put certain practices in place to control run off from livestock and crops. Dawn Crawford asked if the Township will have someone certified or trained to enforce this ordinance. John Davis asked if the ordinance would allow the Township could go on to private property and regrade it if there is a stormwater problem. Vince Pompo said that the ordinance will require an upstream developer to study how stormwater will impact downstream properties. The ordinance will help protect property owners from developments causing stormwater problems.

VOTE PASSED: 3-2 (Joe Pomorski, Steve Herzog and Mark Toth voted yea. Charles Kilgore and Ed Porter voted nae.) Ed Porter stated why he voted nae per Sharon Scott's request.



- 2) Buddy Rhoades – Mr. Rhoades stated that he'd like the Public Works Department to be doing more road work. He feels that our Public Works Department spends a lot of time mowing grass and should spend more time working on our roads. He said there are a lot of development roads that need work done.
- 3) Jan Bowers – Jan Bowers requested the Board of Supervisors send a thank you letter to Mr. Bob Struble, from Brandywine Valley Association, for all the work he did putting in a rain garden in front of the Township building. He fronted the money for the Township for the rain garden. The rain garden is collecting water runoff from the Township building and will improve the stormwater problem on Strasburg Road.
- 4) Sharon Scott – Sharon Scott asked if builder's escrow is listed on the Treasurer's report. Rosemary Moore said it is not on the report. Ms. Scott said she wants to see the balance every month. Rosemary Moore said she does not have access to builder's escrow balances. The Township does not keep record of the builder escrow balances and this money is not in a Township bank account. Vince Pompo recommended Ms. Scott submit a Right to Know request if she'd like this information.

### 3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 10:22 pm. Steve Herzog seconded. VOTE: 5-0

Respectfully Submitted,

Lisa Valaitis,  
Township Secretary

- 3) "Landowner Agreement" between the Township and Brandywine Conservancy for Board of Supervisor approval:

This would involve planting up to 300 trees in the East Fallowfield Park. This is \$4,000-\$5,000 worth of trees for free. The only commitment the township needs to make is to ensure the survival of the trees. Park and Recreation had a say in the planning of where the trees will be planted. The majority of the trees will be planted around the pond. Some trees will also be around the wetland.

MOTION: Joe Pomorski made a motion to approve the "Landowner Agreement" between the Township and Brandywine Conservancy for the planted tree planting project and subsequent monitoring and maintenance of the planted trees. Steve Herzog seconded.

VOTE: 4-0

- 4) Resolution 2015-03 for the Board of Supervisors approval – to commit matched funds and approve re-submittal of grant application for PECO Green Regions Grant to prepare habitat/vegetation management plan for East Fallowfield Park:

MOTION: Joe Pomorski made a motion to approve Resolution 2015-03 to commit \$8,500 of Township funds as a match for requested \$8,500 of grant funding and submittal of PECO Green Regions Grant application. Charles Kilgore seconded.

VOTE: 4-0

- 5) Volunteers for Park and Recreation:

Michael McClintock reported they have not gotten any new volunteers and are still in need.

- 6) Farmer's Market:

Ed Porter asked Siti Crook if she is still interested in doing a farmer's market in the Township. Siti Crook responded by saying she is concerned about parking for a farmer's market. Parking and space for tables was discussed. Siti Crook asked who would decide where a farmer's market would be located. She asked who the point person would be.

- 7) Ball Park:

Michael McClintock said the committee has gotten some cost estimates for a ball field. They don't think there is enough room for a regulation sized ball field. A softball field is more realistically going to fit. There was a discussion about how a ball field would be regulated and what it would be used for. Ball field uses such as recreational use versus league games were discussed. Michael McClintock will bring the ball field topic back to the Park and Recreation committee for further discussion.

#### L. NEW BUSINESS

- 1) SBA Communication Corp. lease extension:

SBA Communication Corp. requested to have the Board extend the lease. The Board did not give approval of extending the lease.

- 2) Open position for election:

Ed Porter stated this year is an election year for a Supervisor position. Voter Services has issued out paper work to petition to run for office. If anyone is interested, contact Chester County Voter Services. There is an open position for election.



Print

Subject: Re: East Fallowfield rain Garden

From: Robert Struble <rstruble@bva-rcva.org>

Sent: 5/21/2015, 8:40:20 AM

To: hem.engineers.dbiloon@verizon.net

Boy Scout

David, The rain garden is about 600 square feet in size with about 600 plants. Was constructed by the township public works dept. and planted by volunteers. Accepts water from the roof of the township building and township garage (about 3,000 square feet). Completed September 2014. Cost about \$1,000, mostly for plants. Funded by the Delaware Dept. of Natural Resources and Environmental Control. A few pictures are attached.





Bob

On May 20, 2015, at 4:49 PM, David J. Biloon, P.E. <[hem.engineers.dbiloon@verizon.net](mailto:hem.engineers.dbiloon@verizon.net)> wrote:

Bob,

Do you have any information that you can send me about this BMP that I can include in my MS4 report? Thank you.

DAvid

Herbert E. MacCombie, Jr., P.E., Consulting Engineers and Surveyors, Inc.

Mailing Address

P.O. Box 118

Broomall, Pa 19008

Street Address

1000 Palmers Mill Road

Media, PA 19063

610-356-9550

Fax - 610-356-5032

[hem.engineers@verizon.net](mailto:hem.engineers@verizon.net)

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# East Fallowfield Township Park

Tax parcel: 54-6-89  
23.495 acres

0 200 400 600 Feet



BRANDYWINE  
CONSERVANCY

Data Source: Base data from CHESCO Data Distribution CD, 12/2013

Aerial data from BVHC, 2010.

Disclaimer: This map is for illustrative purposes only and does not constitute a valid survey.

Map created: August 20, 2014

## Legend

Streams

Tree Plantings

East Fallowfield Township Park

32 acres

37 acres

10 acres

