

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
DECEMBER 3, 2018**

The regular meeting of the Board of Supervisors was called to order at 7:31 PM in the Township Building by Chairman Boorse with the pledge of allegiance. A quorum of Supervisors was declared.

Scott Boorse	-	Chairman, Board of Supervisors
Michael Shiring	-	Vice-Chairman, Board of Supervisors
J. Daniel Hill	-	Member, Board of Supervisors

Also in attendance was Township Solicitor Kristin Camp.

Supervisor Hill moved to approve the November 5th minutes as written. Vice-Chairman Shiring seconded the motion and the minutes were unanimously approved.

Vice-Chairman Shiring moved to approve the bills submitted for payment since the November 5th meeting. General Fund bills totaled \$61,704.66. Sewer Fund bills totaled \$17,936.68. Chairman Boorse seconded the motion and the bills were unanimously approved.

Chairman Boorse announced that the Supervisors met in executive session on November 7th to discuss property matters regarding the sewer plant.

AQUA WASTEWATER CONVEYANCE AGREEMENT

East Bradford Township is in the process of selling its sewage facilities to Aqua Pennsylvania Wastewater, Inc. (Aqua). Birmingham Township has previously entered into intergovernmental agreements dated July 14, 1992 and March 15, 1999 for public sewer for thirteen homes on General Howe Drive and six homes on East Regimental Drive to be serviced through the sewage facilities of East Bradford to the Borough of West Chester sewer system for treatment at the Goose Creek Wastewater Treatment Plant. Several actions need to be taken by the Board in order for Aqua to continue to convey wastewater from the nineteen homes in Birmingham Township.

RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION

In accordance with a requirement from the Department of Environmental Protection (DEP), Vice-Chairman Shiring moved to adopt Resolution #18-1203A to adopt and submit to DEP a revision to the Act 537 Plan for East Bradford Township for a sewage disposal alternative to be implemented by East Bradford Township in the sale of its municipal sewer system to Aqua for sewage facilities in East Bradford Township and certain residential properties on Regimental Drive in Birmingham Township. Chairman Boorse seconded the motion which was unanimously approved.

Solicitor Camp noted that E. Bradford will be assigning all its rights to Aqua effective with closing scheduled for December 12th. Aqua will now own the collection line that services the nineteen homes in Birmingham Township. Aqua will have the same obligations to service the

homes as East Bradford Township did under the intergovernmental agreements. Aqua will be charging the same fees to the nineteen Birmingham homes as was charged by East Bradford Township, but the billing will be monthly instead of quarterly.

AQUA PENNSYLVANIA WASTEWATER, INC. CONVEYANCE AGREEMENT

Vice-Chairman Shiring moved to enter into a wastewater conveyance agreement between Birmingham Township and Aqua for the continued conveyance of wastewater emanating from the nineteen single family homes located in the Radley Run IV development pursuant to the Intergovernmental Cooperation Agreements dated July 14, 1992 and March 15, 1999 with East Bradford Township. The Agreement memorializes the terms of the agreement for the conveyance of wastewater from the nineteen homes in the service area to the point of connection of Aqua's system with the Borough's wastewater treatment plant for treatment pursuant to that certain Sewer Capacity Agreement dated November 14th, 2017 between the Borough of West Chester and East Bradford Township, which East Bradford Township has agreed to assign to Aqua contemporaneously with this Agreement. Supervisor Hill seconded the motion which was unanimously approved.

CHAPTER 94 ORDINANCE AMENDMENTS

Solicitor Camp explained that, with the conveyance of the sewage facilities from East Bradford Township to Aqua, some minor tweaks were necessary to the Township's Ordinance on Sewers (Chapter 94) to amend certain discharge standards. The ordinance ad was duly advertised in the Daily Local News on November 19th and a copy was filed with the Chester County Law Library.

Vice-Chairman Shiring moved to adopt Ordinance #18-03 to amend Chapter 94 "Sewers" of the Township Code, specifically Section 94-5.A, to amend certain discharge standards. Chairman Boorse seconded the motion which was unanimously approved.

HARB & HISTORICAL COMMISSION REPORT

1301 BIRMINGHAM ROAD/ADEY/PAINT BARN & REPLACE ROOF

At its meeting on November 20th, HARB recommended that a Certificate of Appropriateness be issued to Bradley & Kendra Adey, 1301 Birmingham Road, to complete the following projects:

- Replace three sides of an existing barn with pine Board and Batten siding. The fourth side is currently Board and Batten.
- Paint the entire barn to be the color Cheyenne Red (SW 3043).
- Replace the roof on the barn with G100 ABM Panel metal roof, the color to be Pewter Gray.

At its meeting on November 26th (continuation of October 23rd meeting), the Historical Commission recommended approval of the Adeys' application to repair and paint the barn siding and the replacement of the barn roof for Historic Resource #22.

Vice-Chairman Shiring moved to approve the repair and painting of the barn siding and the roof replacement of the barn at 1301 Birmingham Road as recommended by the Historical Commission and the approval of the Certificate of Appropriateness as recommended by HARB. Supervisor Hill seconded the motion which was unanimously approved.

HARB REPORT

1010 REVOLUTIONARY DRIVE/HAY & MCKEE/FENCE EXTENSION

At its meeting on November 20th, HARB recommended that a Certificate of Appropriateness be issued to James D. Hay IV and Frank McKee Jr., 1010 Revolutionary Drive, for the extension of the fence on the property. The fencing will be a three-rail, split rail fence with 4' black vinyl coated wire, 2"x 4". The posts will be Locust wood and the rails will be Hemlock wood. The fence sections will be 4' high and 10" long. Chairman Boorse moved to approve the Certificate of Appropriateness as recommended by HARB. Vice-Chairman Shiring seconded the motion which was unanimously approved.

1014 RADLEY DRIVE/STANISLAWCZYK/SHED

At its meeting on November 20th, HARB recommended that a Certificate of Appropriateness be issued to Marc Stanislawczyk, 1014 Radley Drive, for the installation of a 12' x 14' Quaker shed to be located in the rear of the backyard. The shed will be vinyl with the color being khaki with white trim and black doors, and a black roof with 30 year architectural shingles.

Chairman Boorse asked Mr. Stanislawczyk if his neighbors were aware of the shed installation? He responded that they were aware and that he was going before the RRIII HOA with the proposal in January 2019.

Chairman Boorse moved to approve the Certificate of Appropriateness as recommended by HARB. Vice-Chairman Shiring seconded the motion which was unanimously approved.

1390 BIRMINGHAM ROAD/301 BRINTON LLC/ROOF REPAIR

HARB recommended that a Certificate of Appropriateness be issued to Anthony Diver (301 Brinton LLC) for the repair of the roof eaves at 1390 Birmingham Road. The work will include:

- Removal of the existing gutter on each side of the building which will be set aside for re-installment;
- Cutting the roof three feet and removing the existing shingles and plywood the entire length on each side of the building;
- Removal of the existing cement board fascia and soffit;
- Removal of the existing rotten rafter tails and preparation of the new extended tails;
- Addition of all new rafter tails and plywood roof sheathing, 30# roofing paper and shingles to match;
- Installation of 5/4" x 6" Azek finished fascia and 1" x 12" Azek soffit trim;
- Rehang the existing gutter.

Chairman Boorse moved to approve the Certificate of Appropriateness as recommended by HARB. Supervisor Hill seconded the motion which was unanimously approved.

The applicant still needs Historical Commission review on the proposal.

ADOPTION OF 2019 BUDGET

The 2019 Preliminary Budget was duly advertised for public inspection in the Daily Local News on November 8th. Proposed General Fund Revenues are \$2,272,505. which includes a carry forward of \$887,020. Proposed General Fund Expenditures are \$1,637,361. The millage rate will remain at 1.6 mills. The sewer rent will remain at \$153.00/quarter.

Chairman Boorse thanked Sect./Treas. Nelling for the preparation of the budget and noted that the millage rate has not been increased for many years (since 2010).

Vice-Chairman Shiring moved to adopt the 2019 Preliminary Budget as the Final Budget. Supervisor Hill seconded the motion which was unanimously approved.

AUTHORIZE 2019 ROAD PROGRAM

The 2019 Road Program proposes full mill and overlay of Revere Road from Sumner Way to South New Street Road; Sumner Way from Knolls Road to Revere Road; Sherbrooke Drive from Hampshire Place to the cul-de-sac; and mill half of Revolutionary Drive at the entrance and at 1020, with an add alternate proposal of full milling and overlay of Sherbrooke Drive from Rt. 926 to Hampshire and full milling and overlay of Hampshire Place from Sherbrook to the cul-de-sac. The estimated cost of all of the proposed work is \$251,400. There are also miscellaneous general repairs and storm drain repairs proposed in the scope of work with an estimated cost of \$18,500.

Chief Nelling said that there is \$180,000. available for road work in the liquid fuels budget and \$50,000. allocated in the general fund for road work. Excluding the full milling and overlay of Hampshire Place would result in an estimated road program cost of \$222,900. versus an available budget of \$230,000. The cost to mill and overlay Hampshire Place is estimated at \$47,000. which would take the road program over budget without leaving any extra funds for unexpected repairs during the year.

Vice-Chairman Shiring moved to authorize the Township Engineer to prepare bid specifications for the 2019 Road Program with the exclusion of Hampshire Place and the inclusion of Sherbrook Drive milling and overlay from Rt. 926 to Hampshire Place as an add-alternate, with bids to be authorized for advertising at the January 7th meeting. Chairman Boorse seconded the motion which was unanimously approved.

PENNDOT RESOLUTIONS FOR TRAFFIC SIGNALS ON RT. 202

Chief Nelling stated that PennDOT has contracted for the installation of adaptive signals on Rt. 202 to measure the flow of traffic in order for the timing of the signals to be changed as needed. The traffic signals on Rt. 202 in DE County have already been done. PennDOT is requesting resolutions from the Township for the authorization to submit traffic signal applications to PennDOT for the upgrade to the traffic signals at Rt. 202 and Brinton's Bridge Road and Rt. 202 and Old Wilmington Pike.

Vice-Chairman Shiring confirmed with Chief Nelling that there would be no cost to the Township for the signal upgrades.

Chairman Boorse moved to adopt Resolutions #18-1203B and #18-1203C for the authorization and submission of the traffic signal applications to PennDOT for adaptive signal upgrades at Rt. 202 and Brinton's Bridge Road and Rt. 202 and Old Wilmington Pike. Vice-Chairman Shiring seconded the motion which was unanimously approved.

OTHER BUSINESS

POLICE PERSONNEL

Chief Nelling said that part-time police officer Robert Dowd has finished his training and recommended that his hourly rate be increased from the \$19.00/hr. training rate to \$21.00/hr. for first level patrolman effective today. Chairman Boorse moved to approve the rate increase for Officer Dowd as recommended by Chief Nelling. Vice-Chairman Shiring seconded the motion which was unanimously approved.

SEWER PLANT DOORS

In June, Fisher's Roofing & Siding was awarded the bid for the replacement of two doors at the sewer plant. They had also bid on the roof repair project but they were not the low bidder. Chief Nelling has tried on numerous occasions to contact the company to get the doors replaced. He is guessing that they low bid the doors with the roof proposal. Chief Nelling has received a proposal for \$6,000. from Flying Locksmith of Greater Philadelphia to replace the two doors at the main building and outflow building. Chairman Boorse moved to approve the proposal for the door replacement from Flying Locksmith of Greater Philadelphia for \$6,000. Supervisor Hill seconded the motion which was unanimously approved. A letter will be sent to Fisher's Roofing & Siding advising them that the project will be awarded to another company as six months has passed without contact from them on the door repairs.

PRESIDENT GEORGE H.W.BUSH

Chairman Boorse noted the passing of a great American Hero, the 41st President of the United States, George H. W. Bush.

PUBLIC COMMENT

There was no public comment.

The meeting was adjourned at 8:16 PM. (MTS;JDH)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

07-Nov-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19552	11/7/2018	80	AQUA PENNSYLVANIA	\$2,348.25
19553	11/7/2018	366	BUCKLEY,BRION,MCGUIRE ATTY	\$2,753.18
19554	11/7/2018	1002121	CLEVENS K-9 SCOOP LLC	\$105.00
19555	11/7/2018	1002258	EASTERN SALT COMPANY INC	\$4,473.54
19556	11/7/2018	46	GALLS, LLC	\$14.99
19557	11/7/2018	27	H. A. WEIGAND INC.	\$216.00
19558	11/7/2018	454	KEEN COMPRESSED GAS CO.	\$74.90
19559	11/7/2018	30	PECO ENERGY (TRAFFIC LIGHT)	\$50.23
19560	11/7/2018	171	REILLY & SONS INC.	\$738.86
19561	11/7/2018	1001900	ROBERT CLARKE	\$599.00
19562	11/7/2018	811	S & S CLEANING SERVICE	\$388.00
Bank Totals:				\$11,761.95
Total Of Checks:				\$11,761.95

Check Register

BIRMINGHAM TOWNSHIP

07-Nov-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9719	11/7/2018	366	BUCKLEY,BRION,MCGUIRE ATTY	\$190.00
Bank Totals:				\$190.00
Total Of Checks:				\$190.00

Register

BIRMINGHAM TOWNSHIP

-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
UMARK SEWER FUND				
9723	12/3/2018	149	AECOM	\$160.26
9724	12/3/2018	80	AQUA PENNSYLVANIA	\$1,477.27
9725	12/3/2018	1001859	COYNE CHEMICAL	\$1,851.99
9726	12/3/2018	2	FREEDOM SYSTEMS	\$804.50
9727	12/3/2018	1002424	M & S SERVICE COMPANY INC	\$4,271.00
9728	12/3/2018	1001755	MAJIC LANDSCAPES	\$234.00
9729	12/3/2018	1002493	VERIZON 350-442-985-0001-57	\$57.07
9730	12/3/2018	1002401	WALTON WATER SERVICES	\$6,115.21
9731	12/3/2018	574	WASTE MANAGEMENT OF SOUT	\$79.05
9732	12/3/2018	821	WILLIAM J KIRKPATRICK	\$250.00
9733	12/3/2018	1001834	WM P MCGOVERN INC	\$637.50
Bank Totals:				\$15,937.85
Total Of Checks:				\$15,937.85

Check Register

BIRMINGHAM TOWNSHIP

03-Dec-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19580	12/3/2018	11	21ST CENTURY MEDIA - PHILLY	\$164.32
19581	12/3/2018	149	AECOM	\$520.86
19582	12/3/2018	1001926	AJ BLOSENSKI, INC.	\$147.74
19583	12/3/2018	1001987	ANNE SIEMER	\$37.10
19584	12/3/2018	80	AQUA PENNSYLVANIA	\$179.47
19585	12/3/2018	79	BRANDYWINE VALLEY SPCA	\$1,639.09
19586	12/3/2018	873	CARDMEMBER SERVICE	\$942.45
19587	12/3/2018	1001902	COMCAST CABLE	\$104.85
19588	12/3/2018	1002258	EASTERN SALT COMPANY INC	\$1,300.34
19589	12/3/2018	1002011	FRANCOTYP-POSTALIA INC	\$237.00
19590	12/3/2018	2	FREEDOM SYSTEMS	\$1,206.75
19591	12/3/2018	46	GALLS, LLC	\$418.02
19592	12/3/2018	289	GENERAL CODE PUBLISHERS C	\$1,195.00
19593	12/3/2018	1001768	GRAFIX SHOPPE	\$450.16
19594	12/3/2018	422	HARRY TILLMAN AUTOMOTIVE L	\$182.98
19595	12/3/2018	83	INTERNATIONAL CODE COUNCIL	\$108.00
19596	12/3/2018	1002052	JENNIFER A BOORSE	\$100.00
19597	12/3/2018	711	JUDY JENSEN	\$815.00
19598	12/3/2018	1001755	MAJIC LANDSCAPES	\$1,799.00
19599	12/3/2018	1002053	MICHAEL J HOCHHAUS	\$250.00
19600	12/3/2018	178	PAGE EXCAVATING COMPANY, I	\$11,675.00
19601	12/3/2018	7	QUINA NELLING	\$81.21
19602	12/3/2018	554	RED THE UNIFORM TAILOR	\$266.10
19603	12/3/2018	171	REILLY & SONS INC.	\$882.90
19604	12/3/2018	1001833	STAPLES BUSINESS ADVANTAG	\$38.77
19605	12/3/2018	1002491	THE NEHER GROUP INC	\$100.00
19606	12/3/2018	1001913	VERIZON WIRELESS	\$189.23
Bank Totals:				\$25,031.34
Total Of Checks:				\$25,031.34