

**BIRMINGHAM TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
JULY 6, 2020**

The regular meeting of the Board of Supervisors was called to order @ 7:30 PM in the Township Building by Chairman Boorse via a recorded virtual meeting through Zoom in order to practice safe distancing during the COVID-19 crisis. In attendance at the building was Secretary/Treasurer Quina Nelling. Joining the meeting in virtual mode were Vice-Chairman Michael Shiring; Supervisor J. Daniel Hill; Township Solicitor Kristin Camp, Chadds Ford Live Reporter Richard Schwartzman; Dilworth Farm Lane resident Mitch Kaplan; Dilworth Farm Lane resident, Jim Kershaw; and Little Ridge Drive resident Joe Bendinelli. A quorum of Supervisors was declared. Chairman Boorse stated that the meeting was being recorded and would be available on the Township's web site.

Vice-Chairman Shiring moved to approve the June 1st minutes as written. Supervisor Hill seconded the motion and the minutes were unanimously approved.

Vice-Chairman Shiring moved to approve the bills submitted for payment. General Fund bills totaled \$122,441.49. Sewer Fund bills totaled \$27,349.67. State Fund check #191 was approved for payment to Innovative Construction Services, Inc. for \$164,970.34 for the 2020 Road Program. Supervisor Hill seconded the motion and the bills were unanimously approved.

**NEXT STEPS DUE TO COVID-19**

On March 16<sup>th</sup> the Township issued a seven day Declaration of Disaster Emergency due to the State of Emergency from the Coronavirus COVID-19 threat to injury, damage and suffering to persons and property of the Township and the entirety of Chester County. The Disaster Emergency was extended another seven days on March 23<sup>rd</sup> and again on April 6<sup>th</sup> until May 4<sup>th</sup>.

On May 4<sup>th</sup> the Supervisors adopted Resolution #2020-0504A to ratify the Declaration of Disaster Emergencies dated March 16<sup>th</sup> and March 23<sup>rd</sup>, to extend the March 23<sup>rd</sup> Declaration of Disaster Emergency until the next Township meeting scheduled for June 1<sup>st</sup>, and to adopt procedures and policies for conducting public meetings during such state of emergency.

Chairman Boorse said that HARB had met virtually during June. Supervisor Hill participated in the meeting and indicated that there were no hitches.

The Board discussed the inability to social distance in the conference room. Solicitor Camp reported that some townships had been holding outside meetings in public works areas. The Board did not feel that holding meetings virtually provided any limitations. Up until this time only non-essential business had been conducted. The Board felt it was appropriate to resume normal business with committees holding virtual meetings and the office being fully operational but closed to the public and accessible by appointment only.

Sect./Treas. Nelling noted that the Planning Commission had put some ordinance work on hold during the pandemic. Chairman Boorse suggested that the Planning Commission move forward

with a virtual meeting on the ordinances and he would work out the process for scheduling the virtual meetings.

Chairman Boorse moved to extend the Emergency Declaration until the next Township meeting scheduled for August 3<sup>rd</sup>; to keep things status quo with the office remaining closed except by appointment; and all committee meetings would resume virtually. Vice-Chairman Shiring seconded the motion which was unanimously approved.

## **HARB REPORT**

### **501 DILWORTH FARM LANE**

At its virtual meeting on June 16<sup>th</sup>, HARB recommended that a Certificate of Appropriateness be issued to Mitch and Sandra Kaplan, 501 Dilworth Farm Lane, for the installation of new Hardie Plan siding on their house. The color of the new siding will be Anchor Brown. HARB reviewed the application and determined that it is in compliance with the HARB guidelines.

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

Mr. Kaplan asked about timing on receiving his permit.

### **504 DILWORTH FARM LANE**

At its virtual meeting on June 16<sup>th</sup>, HARB recommended that a Certificate of Appropriateness be issued to James and Erin Kershaw, 504 Dilworth Farm Lane, for the installation of a new 12' x 16' shed at the edge of their driveway. The shed was manufactured by Lancaster County Barns. The siding and roof of the shed will match the house. Chairman Boorse noted that the siding is slate blue with a white trim.

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

Mr. Kershaw asked if a permit was necessary for the installation of the shed. Chairman Boorse directed him to the Building and Zoning Officer, Rich Jensen.

### **1030 LITTLE RIDGE DRIVE**

At its virtual meeting on June 16<sup>th</sup>, HARB recommended that a Certificate of Appropriateness be issued to Joseph Bendinelli, Jr., 1030 Little Ridge Drive, for the installation of Everlast Advanced Composite 7" lap siding, color Sand Dune; Anderson double hung windows in dark bronze, with Versatex Cellular PVC trim in white; and Certainteed Landmark Pro asphalt shingles color Weather Wood. The back chimney will be new stucco and the front chimney will be stone to match the house.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness as recommended by HARB for Joseph Bendinelli, Jr. Supervisor Hill seconded the motion which was unanimously approved.

Mr. Bendinelli also asked about the timing for receiving his permit to start the work.

#### **CLG CONTRACT FOR GRANT APPLICATIONS**

The Pennsylvania Historical and Museum Commission (PHMC) is in the process of implementing a new grant contract system for Certified Local Governments (CLGs). Even though the Township has not applied for or received funding under the most recent CLG grant rounds, PHMC is asking all CLGs to sign a master contract for the possible future awarding of grants to the Township, which will last through December 31, 2024.

Vice-Chairman Shiring moved to authorize Chairman Boorse to execute the master contract with PHMC in order for the Township to participate in a new grant contract system. Supervisor Hill seconded the motion which was unanimously approved.

#### **APPOINTMENT OF ARCHITECT TO HARB**

Due to health reasons, Tony Webb, Architect on HARB, has resigned. An architect must be on HARB due to CLG requirements. Before the pandemic, Chairman Boorse had talked to Daniel Campbell about filling the architect position on HARB. Mr. Campbell participated in the HARB zoom meeting in June. HARB Chairman Scott Garrison has indicated that HARB is recommending Daniel Campbell as a member.

Vice-Chairman Shiring moved to appoint Daniel Campbell to fill Tony Webb's term (2021) on HARB. Supervisor Hill seconded the motion which was unanimously approved.

#### **NEW PART-TIME POLICE OFFICER**

Prior to tonight's meeting the Board of Supervisors virtually interviewed Andrew F. DiPaolo of Wallingford for the position of part-time police officer. Mr. DiPaolo graduated from the Temple University Policy Academy in October 2019. He will replace Part-Time Officer Robert Dowd who obtained a full-time police position with Kennett Township.

Chairman Boorse moved to hire Andrew DiPaolo as a part-time police officer at the training rate of \$20.00/hr. Vice-Chairman Shiring seconded the motion which was unanimously approved.

#### **AUTHORIZE ADVERTISING TO APPOINT BBD, LLP FOR 2020 AUDIT**

The Township has a proposal from BBD, LLP to perform the 2020 Audit for the Township for a fee of \$5,000.00, which is the same fee as previous years. Chairman Boorse moved to authorize advertising to consider a resolution at the August 3<sup>rd</sup> meeting for the appointment of BBD, LLP for the 2020 Audit for a fee of \$5,000.00. Supervisor Hill seconded the motion which was unanimously approved.

#### **RE-STATE EXISTING UNIFORM AND NON-UNIFORM PENSION ORDINANCES PER IRS REQUIREMENTS**

Every six years the IRS requires that the Pennsylvania Municipal Retirement System administered uniform and non-uniform pension plans be re-stated with newly adopted ordinances and defined benefit adoption agreements, even if there are no changes to the plans. Solicitor

Camp prepared the advertisement for consideration of the ordinances and provided a list of the exhibits.

B-1: Proof of Publication in the Daily Local News on June 22, 2020.

B-2: E-mail dated June 29, 2020 from Ali Fidanza to the Chester County Law Library providing the proposed amendments for public inspection.

B-3: E-mail dated June 29, 2020 from Ali Fidanza to the Daily Local News providing the proposed amendments for public inspection.

Chairman Boorse moved to adopt Ordinance 2020-01 to re-state the uniform pension plan and Ordinance 2020-02 to re-state the non-uniform pension plan and to execute the defined benefit adoption agreements. Supervisor Hill seconded the motion which was unanimously approved.

### **HOLIDAY INN & SUITES EXPRESS SEWER PENALTY AND INTEREST**

The Holiday Inn & Suites Express was billed \$4,455.00 on April 1<sup>st</sup> for sewer rent. Due to business closure and the lack of income during the pandemic, the sewer rent was unable to be paid by the April 30<sup>th</sup> due date. The general manager, Manjunath, had contacted the Township asking for relief from the late fees. The Board felt that the request was premature until payment was made on the bill. The sewer rent payment was received on June 15<sup>th</sup>. Sect./Treas. Nelling noted that the payment of prior sewer bills had been current. The Board appreciated the fact that Manjunath had been up front with the Board about his situation. Considering the circumstances, they felt that receiving payment only a month and half late was better than anticipated.

Chairman Boorse moved to waive the sewer penalty and interest of \$494.51 for the Holiday Inn & Suites Express based on their good standing and inability to pay due to COVID-19. Vice-Chairman Shiring seconded the motion which was unanimously approved.

### **PUBLIC COMMENT**

Chairman Boorse stated that the Township Sewer Engineer, Sandi Morgan of AECOM, has retired. The Board members publicly recognized the great service that she provided to the Township as the Sewer Engineer.

The meeting was adjourned at 8:20 PM. (MTS;JDH)

Respectfully submitted,

Quina Nelling  
Secretary/Treasurer

**Check Register****BIRMINGHAM TOWNSHIP**

05-Aug-20

From: 02-Jun-20 To: 06-Jul-20

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
<b>Bank Account: 11 TRUMARK GENERAL FUND</b>					
20474	6/15/2020	80	AQUA PENNSYLVANIA	\$2,404.98	O
20475	6/15/2020	849	BATTAVIO/B&F SERVICE CO	\$1,500.28	O
20476	6/15/2020	366	BUCKLEY,BRION,MCGUIRE	\$2,718.20	O
20477	6/15/2020	1002121	CLEVENS K-9 SCOOP LLC	\$152.00	O
20479	6/15/2020	46	GALLS, LLC	\$262.20	O
20480	6/15/2020	422	HARRY TILLMAN AUTOMOTI	\$348.97	O
20481	6/15/2020	517	INDEPENDENCE BLUE CRO	\$5,247.20	O
20482	6/15/2020	711	JUDY JENSEN	\$1,160.00	O
20483	6/15/2020	1002526	MCDONALD UNIFORM CO., I	\$509.73	O
20484	6/15/2020	205	PARKWAY DRY CLEANERS,	\$92.30	O
20485	6/15/2020	29	PECO ENERGY	\$321.15	O
20486	6/15/2020	30	PECO ENERGY (TRAFFIC LI	\$63.58	O
20487	6/15/2020	171	REILLY & SONS INC.	\$515.42	O
20488	6/15/2020	811	S & S CLEANING SERVICE	\$388.00	O
20489	6/15/2020	61	VERIZON 753-804-167-0001-	\$355.45	O
20490	6/29/2020	1002154	VERIZON 250-441-074-0001-	\$59.79	O
20491	6/29/2020	1001913	VERIZON WIRELESS 722423	\$189.57	O
20492	7/6/2020	11	21ST CENTURY MEDIA - PHI	\$96.98	O
20493	7/6/2020	1001926	AJ BLOENSKI, INC.	\$165.83	O
20494	7/6/2020	80	AQUA PENNSYLVANIA	\$115.58	O
20495	7/6/2020	79	BRANDYWINE VALLEY SPC	\$202.55	O
20496	7/6/2020	366	BUCKLEY,BRION,MCGUIRE	\$1,499.60	O
20497	7/6/2020	873	CARDMEMBER SERVICE	\$422.82	O
20498	7/6/2020	529	CHRISTY MOBILE	\$100.00	O
20499	7/6/2020	1002121	CLEVENS K-9 SCOOP LLC	\$190.00	O
20500	7/6/2020	1001902	COMCAST CABLE	\$138.39	O
20501	7/6/2020	70	CONCORD AUTO BODY, INC	\$3,866.49	O
20502	7/6/2020	775	CONVENIENT CAR CARE C	\$329.45	O
20504	7/6/2020	46	GALLS, LLC	\$44.85	O
20505	7/6/2020	780	GUMBALL MEDIA,LLC\LAND	\$5,845.00	O
20506	7/6/2020	422	HARRY TILLMAN AUTOMOTI	\$684.96	O
20507	7/6/2020	6	INNOVATIVE CONSTRUCTIO	\$71,715.00	O
20508	7/6/2020	1001755	MAJIC LANDSCAPES	\$2,191.00	O
20509	7/6/2020	29	PECO ENERGY	\$251.94	O
20510	7/6/2020	171	REILLY & SONS INC.	\$450.28	O
20511	7/6/2020	507	ROTHWELL DOCUMENT SO	\$161.03	O
20512	7/6/2020	811	S & S CLEANING SERVICE	\$388.00	O
20513	7/6/2020	26	SIGNAL SERVICE INC.	\$380.00	O

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05-Aug-20

From: 02-Jun-20 To: 06-Jul-20

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
20514	7/6/2020	1002392	TRI-COUNTY PEST CONTRO	\$100.00	O
20515	7/6/2020	424	UNITED STATES POSTAL S	\$500.00	O
20516	7/6/2020	23	VANDEMARK & LYNCH, INC.	\$12,012.91	O
20517	7/6/2020	61	VERIZON 753-804-167-0001-	\$355.52	O
<b>Bank Total:</b>				<b>\$118,497.00</b>	
<b>Bank Account: 81 TRUMARK SEWER FUND</b>					
10051	6/15/2020	149	AECOM	\$841.37	O
10052	6/15/2020	366	BUCKLEY,BRION,MCGUIRE	\$875.35	O
10053	6/15/2020	798	PA ONE CALL SYSTEM,INC.	\$25.90	O
10054	6/15/2020	29	PECO ENERGY	\$2,302.70	O
10055	6/15/2020	586	VERIZON 450-748-892-0001-	\$59.47	O
10056	6/15/2020	1001834	WM P MCGOVERN INC	\$3,027.00	O
10057	7/6/2020	149	AECOM	\$400.65	O
10058	7/6/2020	1002509	AQUA PA WW	\$1,293.71	O
10059	7/6/2020	366	BUCKLEY,BRION,MCGUIRE	\$166.00	O
10060	7/6/2020	1001859	COYNE CHEMICAL	\$2,208.75	O
10061	7/6/2020	780	GUMBALL MEDIA,LLC\LAND	\$3,130.00	O
10062	7/6/2020	1001755	MAJIC LANDSCAPES	\$585.00	O
10063	7/6/2020	29	PECO ENERGY	\$2,131.79	O
10064	7/6/2020	1002392	TRI-COUNTY PEST CONTRO	\$60.00	O
10065	7/6/2020	1002493	VERIZON 350-442-985-0001-	\$40.97	O
10066	7/6/2020	1002401	WALTON WATER SERVICES	\$7,145.06	O
10067	7/6/2020	574	WASTE MANAGEMENT OF S	\$181.95	O
10068	7/6/2020	1001834	WM P MCGOVERN INC	\$2,874.00	O
<b>Bank Total:</b>				<b>\$27,349.67</b>	
<b>Total Of Checks:</b>				<b>\$145,846.67</b>	