

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
FEBRUARY 1, 2021**

The regular meeting of the Board of Supervisors was called to order at 7:33 PM by Chairman Scott Boorse via a recorded virtual meeting through Zoom in order to practice safe distancing during the COVID-19 crisis. Also in attendance at the Township Building with Chairman Boorse were Secretary/Treasurer Quina Nelling and Police Chief Thomas Nelling. Participating in the meeting in virtual mode were Vice-Chairman Michael Shiring and Supervisor J. Daniel Hill.

Vice –Chairman Shiring moved to approve the organizational and regular minutes from the January 4, 2021 meeting as written. Supervisor Hill seconded the motion and the minutes were unanimously approved.

Vice-Chairman Shiring moved to approve the bills submitted for payment since January 4th. Supervisor Hill seconded the motion and the bills were unanimously approved. General Fund bills totaled \$43,288.67. Sewer Fund bills totaled \$26,510.04.

RPOS COMMITTEE APPOINTMENTS

At its meeting on January 18th, the Recreation, Park and Open Space Committee (RPOS) interviewed two candidates to fill vacancies on the committee. Both candidates were recommended to the Supervisors and were interviewed virtually prior to tonight's meeting. Supervisor Hill moved to appoint Brian Bonkowski to RPOS with a term ending in 2021 and to appoint Kathleen Brecker to RPOS with a term ending in 2023. Vice-Chairman Shiring seconded the motion which was unanimously approved.

HISTORICAL COMMISSION (HC)/1090 COUNTRY CLUB RD MANSION HOUSE

At its meeting on January 26th, the HC considered an application from Janet Rodden on repairs needed for the roof of the ballroom portion of the Radley Run Country Club (RRCC) Mansion House. A tree had fallen on the roof. Due to weather exposure, repairs have been started and inspection is needed by the Building Inspector. Ms. Rodden indicated that the RRCC has several properties and she wanted clarification on the procedure needed for in-kind repairs done by damage.

Chairman Boorse responded that the Township Code addresses repairs but the ordinance is subjective. The Building Inspector determines from the application if a review by the HC is necessary. The Supervisors are reviewing the ordinance language to see how repairs can be better handled. Due to an on-going legal matter, this review is taking longer than necessary. The Supervisors are looking to stream line the HC review process.

Vice-Chairman Shiring moved to approve the recommendation from the HC for the roof repair work to the RRCC Mansion House. Chairman Boorse seconded the motion which was unanimously approved.

PIAZZA ACURA

Piazza Acura is in the process of renovating the existing Acura dealership at 1330 Wilmington Pike and changing it to a Jaguar Land Rover dealership. The Acura dealership will be relocated to 1350 Wilmington Pike.

Adam Brower, Engineer, representing Piazza Acura said that the renovations will be similar to those done to the Piazza Mazda dealership. A few feet will be added to the showroom area of the building but there will be no renovations or changes to the parking lot or the impervious coverage. This is basically a facelift which is being driven by the manufacturer. The showroom area bump out will be squared off to create a uniform front to the building with 2,760 sq. ft. added to the building. The concrete pad used currently for vehicle display will be eliminated. Mr. Brower requested the same consideration from the Board on the Piazza Acura renovations as was done with Piazza Mazda. Land development was not required, only a full land disturbance engineering review which would include parking; impervious coverage; landscaping and lighting.

Chief Nelling requested a hard copy of the plan for his review as Fire Marshal.

Mr. Brower was advised to address the conditions for public sewer at the Hyundai Building, where Acura is moving, as it has been represented as a vacant building to the Township.

Vice-Chairman Shiring said that it didn't appear as if land development plan submission was necessary, but suggested that the Township Engineer review the renovations and determine if the Acura changes are similar to the Mazda plan changes and make a determination if land disturbance permit review is adequate or if land development review is required. The Board concurred.

PAINTER HOUSE SUITES/FRANK RUPP/DILWORTHTOWN INN PROPERTIES

Frank Rupp, owner of the various Dilworthtown Inn properties, informed the Board that he purchased the properties in January 2020, right before the pandemic hit. The buildings are vacant. He is still looking for tenants for the buildings and Painter House Suites will act as the landlord.

There are 46 EDU's allocated to the three restaurants: Dilworthtown Inn; Inn Keeper's Kitchen; and the Blue Pear Bistro. Mr. Rupp asked if the Board would consider "a pause" in the billing for the restaurants until tenants could be found or if there was a way to meter the sewer use.

Chairman Boorse said that the Township has been receptive to waiving penalties and interest on sewer bills for those that have had difficulty paying on time. The Township has never waived or paused the payment of the sewer rent. Sewer use cannot be metered, just water use. Mr. Rupp may want to consider re-evaluating his EDU's based on the water records of all the restaurants.

Vice-Chairman Shiring stated that his legal firm represents Mr. Rupp so he cannot vote on Mr. Rupp's request. However, he said that Mr. Rupp could hire a consultant to see if he still needs the 46 EDU's allocated and Mr. Rupp could potentially relinquish them back to the Township;

but if he did so, someone else could utilize them; and they may not be available for re-allocation in the future. Basically, Mr. Rupp is paying rent to reserve the capacity in the sewer plant

Chairman Boorse disclosed that the Township is in the process of evaluating an asset purchase agreement for the sale of the sewer plant to a third party (Bucks County Water and Sewer Association) in case this would affect Mr. Rupp's timing on his evaluation.

Vice-Chairman Shiring said that the Township's Act 537 Plan (sewer plan for the Township) determines public and private use of sewer in the Township. DEP, not the Township, establishes the flow rate and how many gallons of sewer that can be handled by the sewer plant. BCWSA will follow the Township's 537 Plan and operate under the same DEP requirements.

Mr. Rupp thanked the Board for their time. He said that he needs to do an evaluation of the properties and their future use, since some of the buildings could be turned into offices, in order for him to be able to decide how long to maintain the EDU's allocated to the three restaurants.

2021 ROAD PROGRAM BIDS

At the December 7, 2020 meeting, the Board of Supervisors authorized advertising for bids for the 2021 road program. Six bids were received. VanDemark & Lynch, Inc. had estimated the cost of the road program to be \$194,621.00. Bids received ranged in price from \$217,369.00 to \$322,726.50. The low bid was from Innovative Construction Services who has submitted the low bid for six of the last seven years and is a responsible bidder. The 10% higher than estimated cost is due to a higher cost for the sinkhole repair work at Knolls Road and the curb and gutter work on General Weedon Drive.

The Township has approximately \$248,500.00 budgeted for 2021 road repair projects.

Vice-Chairman Shiring moved to approve the low bid from Innovative Construction Services for \$217,369.00 for the 2021 Road Program. Chairman Boorse seconded the motion which was unanimously approved.

Chief Nelling noted that a 2021 pipe video inspection bid package for the pipes within the right-of-ways of the roads in the Birmingham Hunt and Knolls of Birmingham roads was not part of the road program and it was anticipated that it would be bid tonight. However, it is not a time sensitive project. Not only is the road program over estimate by \$23,000.00 but the pipe replacement for Crest Drive that was discussed at the December 7th meeting was estimated to cost \$10,000.00 but the one quote received to date is \$25,915.00, so additional quotes need to be obtained before a final cost on that project is determined.

TREASURER'S REPORT

Sect./Treas. Nelling reported for the year 2020. Financial statements have been given to the Board and are available for public inspection. All State reports have been completed in order to receive the liquid fuels allocation on March 1st. The auditing firm of BBD, LLP will be starting the 2020 audit on Wednesday, February 3rd. Sect./Treas. Nelling provided the year end numbers while highlighting the accounts with the budget variations.

General Fund Year End Balance - \$931,134.

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
2020 Revenues	\$2,229,439.	\$2,383,845.	\$154,406.
2020 Expenditures	\$1,742,246.	\$1,452,523.	\$289,722.

REVENUES

Real Estate Transfer Tax	\$ 170,000.	\$ 273,050.	\$103,050.
Building Permits	\$ 50,000.	\$ 87,724.	\$ 37,724.
Vehicle Code Violations	\$ 30,000.	\$ 19,600.	\$ 10,400.
Interest	\$ 19,000.	\$ 4,974.	\$ 14,026.
Police Details	\$ 90,000.	\$ 31,335.	\$ 58,665.
Zoning Hearing Board Fees	\$ 7,500.	\$ 0.	\$ 7,500.
Carry Forward	\$ 812,083.	\$ 864,641.	\$ 52,558.

EXPENDITURES

Police Department	\$ 734,741.	\$ 651,749.	\$ 82,992.
Zoning Hearing Board	\$ 15,000.	\$ 0.	\$ 15,000.
Snow Removal	\$ 130,000.	\$ 13,064.	\$116,936.
Legal	\$ 30,000.	\$ 30,135.	\$ 135.
MSIV	\$ 22,000.	\$ 8,636.	\$ 13,314.
General Engineering	\$ 8,000.	\$ 288.	\$ 7,712.
Road Repairs	\$ 75,000.	\$ 57,480.	\$ 17,520.
Engineering Roads	\$ 32,000.	\$ 37,448.	\$ 5,448.

Sewer Fund Year End Balance - \$339,270.

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
2020 Revenues	\$746,023.	\$782,495.	\$36,471.
2020 Expenditures	\$462,715.	\$443,225.	\$19,490.

Sewer rent revenues exceeded the budgeted \$380,664. by \$48,609. due to aggressive delinquent rent collection efforts.

EXPENDITURES

Major Maintenance	\$ 30,000.	\$ 67,244.	\$37,244
Operator	\$ 50,000.	\$ 65,881.	\$15,881.
PA One Call	\$ 12,000.	\$ 24,276.	\$12,276.

Chairman Boorse thanked Sect./Treas. Nelling and commented that a lot of Townships have had a difficult time financially because of the pandemic. Sect./Treas. Nelling noted that those townships depend heavily on earned income tax receipts and Birmingham Township doesn't impose an earned income tax.

OTHER BUSINESS

Chairman Boorse moved to pass a resolution to declare a snow emergency from noon on Sunday, January 31st until noon on Wednesday, February 3rd. Vice-Chairman Shiring seconded the motion which was unanimously approved.

PUBLIC COMMENT

There was no public comment.

The meeting was adjourned at 8:30 PM. (SCB; MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

02-Mar-21

From: 02-Feb-21 To: 01-Mar-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 11 TRUMARK GENERAL FUND					
20826	2/8/2021	80	AQUA PENNSYLVANIA	\$108.37	O
20827	2/8/2021	79	BRANDYWINE VALLEY SPC	\$221.37	O
20828	2/8/2021	366	BUCKLEY,BRION,MCGUIRE	\$142.50	O
20829	2/8/2021	873	CARDMEMBER SERVICE	\$1,462.49	O
20830	2/8/2021	1002121	CLEVENS K-9 SCOOP	\$228.00	O
20831	2/8/2021	1001902	COMCAST CABLE	\$138.39	O
20832	2/8/2021	1002606	CRYSTAL SPRINGS	\$20.81	O
20833	2/8/2021	114	FRONEFIELD CRAWFORD. J	\$799.50	O
20834	2/8/2021	1001944	GOSHEN SIGNS	\$135.00	O
20835	2/8/2021	211	LEGISLATIVE REFERENCE	\$9.50	O
20836	2/8/2021	953	PA DUI ASSOCIATION	\$140.00	O
20837	2/8/2021	29	PECO ENERGY	\$716.11	O
20838	2/8/2021	30	PECO ENERGY (TRAFFIC LI	\$64.96	O
20839	2/8/2021	811	S & S CLEANING SERVICE	\$388.00	O
20840	2/8/2021	26	SIGNAL SERVICE INC.	\$150.00	O
20841	2/8/2021	61	VERIZON 753-804-167-0001-	\$2.41	O
20842	2/22/2021	80	AQUA PENNSYLVANIA	\$2,404.98	O
20843	2/22/2021	1002154	VERIZON 250-441-074-0001-	\$62.59	O
20844	3/1/2021	11	21ST CENTURY MEDIA - PHI	\$327.49	O
20845	3/1/2021	1001926	AJ BLOSENSKI, INC.	\$170.80	O
20846	3/1/2021	849	BATTAVIO/B&F SERVICE CO	\$350.93	O
20847	3/1/2021	1002709	BLUE 60 MEDIA	\$97.75	O
20848	3/1/2021	372	BRANDYWINE CONSERVAN	\$9,686.25	O
20849	3/1/2021	366	BUCKLEY,BRION,MCGUIRE	\$4,341.00	O
20850	3/1/2021	873	CARDMEMBER SERVICE	\$672.72	O
20851	3/1/2021	153	CHESTER COUNTY POLICE	\$150.00	O
20852	3/1/2021	529	CHRISTY MOBILE	\$100.00	O
20853	3/1/2021	775	CONVENIENT CAR CARE C	\$299.50	O
20854	3/1/2021	1002258	EASTERN SALT COMPANY I	\$8,948.66	O
20855	3/1/2021	1002011	FRANCOTYP-POSTALIA INC	\$237.00	O
20856	3/1/2021	2	FREEDOM SYSTEMS	\$3,216.24	O
20857	3/1/2021	289	GENERAL CODE PUBLISHE	\$3,561.07	O
20858	3/1/2021	21	H. A. THOMSON	\$5,777.50	O
20859	3/1/2021	517	INDEPENDENCE BLUE CRO	\$4,226.56	O
20860	3/1/2021	1002053	MICHAEL J HOCHHAUS	\$250.00	O
20861	3/1/2021	1002573	NMS LABS	\$275.00	O
20862	3/1/2021	178	PAGE EXCAVATING COMPA	\$143,900.00	O
20863	3/1/2021	171	REILLY & SONS INC.	\$1,183.06	O

Check Register**BIRMINGHAM TOWNSHIP**

02-Mar-21

From: 02-Feb-21 To: 01-Mar-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
20864	3/1/2021	1001833	STAPLES BUSINESS ADVAN	\$489.50	O
20865	3/1/2021	1001924	ULINE	\$40.44	O
20866	3/1/2021	23	VANDEMARK & LYNCH, INC.	\$14,159.06	O
20867	3/1/2021	23	VANDEMARK & LYNCH, INC.	\$1,008.80	O
20868	3/1/2021	1001913	VERIZON WIRELESS 722423	\$188.45	O
20869	3/1/2021	917	WITMER PUBLIC SAFETY G	\$621.98	O
Bank Total:				\$211,474.74	
Bank Account: 81 TRUMARK SEWER FUND					
10185	2/8/2021	1002509	AQUA PA WW	\$1,327.53	O
10186	2/8/2021	80	AQUA PENNSYLVANIA	\$2,071.14	O
10187	2/8/2021	366	BUCKLEY, BRION, MCGUIRE	\$619.00	O
10188	2/8/2021	29	PECO ENERGY	\$3,094.45	O
10189	2/8/2021	1002493	VERIZON 350-442-985-0001-	\$41.85	O
10190	2/8/2021	1001834	WM P MCGOVERN INC	\$360.00	O
10191	2/22/2021	586	VERIZON 450-748-892-0001-	\$62.27	O
10192	3/1/2021	1002659	ARRO CONSULTING, INC	\$1,956.00	O
10193	3/1/2021	1001859	COYNE CHEMICAL	\$2,044.00	O
10194	3/1/2021	585	EMERGENCY SYSTEMS SE	\$491.73	O
10195	3/1/2021	780	GUMBALL MEDIA/LAND ART	\$650.00	O
10196	3/1/2021	1002424	M & S SERVICE COMPANY I	\$4,392.50	O
10197	3/1/2021	1002691	OBERMAYER	\$5,107.00	O
10198	3/1/2021	1002392	TRI-COUNTY PEST CONTRO	\$60.00	O
10199	3/1/2021	1002493	VERIZON 350-442-985-0001-	\$42.11	O
10200	3/1/2021	1002401	WALTON WATER SERVICES	\$5,660.96	O
10201	3/1/2021	574	WASTE MANAGEMENT OF S	\$213.49	O
10202	3/1/2021	821	WILLIAM J KIRKPATRICK	\$250.00	O
10203	3/1/2021	1001834	WM P MCGOVERN INC	\$1,413.00	O
Bank Total:				\$29,857.03	
Total Of Checks:				\$241,331.77	