

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
MARCH 7, 2022**

The regular meeting of the Board of Supervisors was called to order at 7:02 PM in the Township Building by Chairman Boorse with the pledge of allegiance. A quorum of Supervisors was declared.

| | | |
|--------------------|---|---------------|
| Scott C. Boorse | - | Chairman |
| Michael T. Shiring | - | Vice-Chairman |
| J. Daniel Hill | - | Supervisor |

Also in attendance were Township Solicitor Kristin Camp and Township Engineer Dave Schlott, Jr.

Vice-Chairman Shiring moved to approve the February 7, 2022 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 since the February 7th meeting. General Fund bills totaled \$61,417.54. State Fund Ck#196 was approved for payment to East Bradford Township for \$703.85 for the maintenance of East Regimental Drive. Supervisor Hill seconded the motion and the bills were unanimously approved.

HARB REPORT

1202 CANDY LANE/WOODMAN/SUNROOM & FENCE

At its meeting on February 15th, HARB recommended that a Certificate of Appropriateness be issued to Robert and Kathleen Woodman, 1202 Candy Lane, for the erection of a glass and aluminum sunroom addition and to extend their existing split rail fence and add a new white picket fence. Sunroom colors: Roof: Glass and aluminum; Walls: Glass, aluminum, brick facing; Color: Bronze.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness as recommended by HARB for the sunroom addition and fence for the Woodmans/1202 Candy Lane. Supervisor Hill seconded the motion which was unanimously approved.

1021 RADLEY DRIVE/BARRICKMAN/DECK

At its meeting on February 15th, HARB recommended that a Certificate of Appropriateness be issued to Joshua and Lisa Barrickman, 1021 Radley Drive, for the removal of their existing deck and replacing it with new composite material and aluminum railing. The deck will be a TimberTech composite material in the shade Dark Roast and the railing will be Keylink American Series railing in black aluminum.

Marcus Ebersole of Fisher Brothers Exteriors was present. He said that the deck will also include a vent free gas fireplace and a white pergola. The material choices hadn't been discussed at the HARB meeting because they hadn't been selected. He was hoping to include these items

in the approval. The Board indicated that the fireplace and pergola would have to be reviewed by HARB.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness as recommended by HARB for the deck and railing for the Barrickmans/1021 Radley Drive. Chairman Boorse seconded the motion which was unanimously approved.

BRANDYWINE PICNIC PARK USE PROPOSAL

Ted Benzing, potential buyer of the Brandywine Picnic Park, was present to discuss a proposed business plan for the property – a pitch and put golf and driving range on the twenty acre property with plans for a coffee shop; snack bar and pro shop. The current buildings would be demolished. The property is inexpensive as it is located in the floodplain. He has no use intended for the area south of the Rt. 52 Bridge, which is located in Birmingham. The property is located in Birmingham and East Bradford Townships. Mr. Benzing has already discussed the proposal with East Bradford officials.

The Supervisors were in favor of seeing the property revitalized and not an eyesore as it is currently. However, it is difficult to give specific input on the application without a sketch plan and seeing how closely the application fits with the Township Code.

Mike Wells, Cedar Mill Ln., asked about plans to clean up the property. Chairman Boorse indicated that the property is privately owned and the Township has no jurisdiction on private property. Vice-Chairman Shiring added that the property owner has to comply with the floodplain regulations and property maintenance code.

MSIV ANNUAL UPDATE 2021 – 2022

Township Engineer, Dave Schlott, provided the annual required MSIV/Stormwater Permit update to the Board which included information about MSIV permit requirements; information and activities.

The EPA's NPDES (National Pollutant Discharge Elimination System) general permit covers small municipal separate storm sewer systems (MSIVs) in certain portions of the State. MSIV owners and operators covered under this general permit must manage, implement, and enforce management programs for controlling all stormwater discharges. The Township must effectively prohibit pollutants in stormwater discharges or other unauthorized discharges into the MSIV as necessary to comply with the State's receiving water quality standards. The Township has a stormwater page on its web site which has educational materials, events, and other information related to stormwater management, pollution prevention, and regulatory requirements.

Birmingham Township is part of the Christina Watershed Municipal Partnership. This partnership is a group of municipal and non-profit partners focused on developing strategies to address stormwater pollution in the Brandywine-Christina watersheds of Chester County. Two clean up events are scheduled for this Spring.

An illicit discharge to an MSIV would be anything other than stormwater, such as household cleaners; lawn products; trash; organic debris; and glass clippings. The public is asked not to contaminate the stormwater system with these items or to clog the stormwater inlets.

The Township is required to implement a pollution reduction plan to reduce its 2018-2023 MSIV permit requirements.

The 2020-2021 annual stormwater report was submitted to DEP in September 2021.

Chairman Boorse asked Mr. Schlott what MSIV stands for so the audience members would understand what is being discussed. Mr. Schlott said that MSIV stands for “small separate stormwater system” – four letter “s” words.

Arro will be locating and inspecting outfalls and will notify the various HOA’s in case they want to do a pre-inspection.

AQUA REQUEST FOR FEEDBACK ON SEWER TIE-IN FOR RADLEY RUN HOMES

Aqua PA Wastewater, Inc. was contacted by the Radley Run Sewer Association, representing 22 residents on Squire Cheyney Drive and General Sterling Drive, who requested that Aqua consider acquiring the Radley Run Golf Course wastewater treatment plant; collection system and pump station. Aqua is asking for comments or concerns from the Township prior to their proceeding to determine the feasibility for connection of these residents.

The Supervisors had no concerns with the understanding that Aqua would have to cover the costs to update the Township’s Act 537 Sewage Facilities Plan.

SET CONDITIONAL USE HEARING DATE/1305 WILMINGTON PK/PENN OAKS

The Township is in receipt of a Conditional Use Application from Penn Oaks HP Enterprises LP c/o Allied Properties Inc. pursuant to Section 122-49.C(16) of the Township Code in order to permit a combination of retail, office, and restaurant uses on a single lot located at 1305 Wilmington Pike. A hearing date was set for Wednesday, March 30th @ 7 PM. Vice-Chairman Shiring recused himself from participating as his law firm represents the applicant.

POLICE PERSONNEL

Chief Nelling recommended the hire of a new part-time Police Officer, Spencer A. Wood of East Bradford Township, who was interviewed by the Supervisors prior to tonight’s meeting. Chairman Boorse moved to hire Spencer Wood as a part-time police officer at the rate of \$23.00/hr. Supervisor Hill seconded the motion which was unanimously approved.

RPOS VACANCY TERM ENDING 2022

Prior to the meeting the Supervisors interviewed Doreen O’Neill of Heartsease Drive for the vacancy on RPOS. She had met with RPOS at their February meeting. Supervisor Hill moved to appoint Doreen O’Neill to RPOS for a term ending in 2022. Chairman Boorse seconded the motion which was unanimously approved.

DISCUSS AUTO-PAY ON BILLS

At the February 7th meeting, Sect./Treas. Nelling said that the mail service has been horrendous and it is affecting payables negatively. Bills are being received late, or not at all. Checks are taking 20 – 30 days to get to the vendors, if they get there at all. The result is calls looking for payment; late charges; and the re-issuance of checks. Some bills come in with late fees and Mrs. Nelling is having to spend unnecessary time on the phone “waiting in the que” to try and get the late fees handled. Mrs. Nelling has talked with Solicitor Camp and Stewart Morcom, Auditor with BBD, LLP, regarding the payment of some bills through auto-pay. Stewart Morcom said as long as they were monthly, regular bills of the similar amounts that it wouldn’t be an issue. Solicitor Camp concurred. The Board asked Sect./Treas. Nelling to provide a list of bills she is suggesting for auto-pay with an average dollar amount for each vendor.

Sect./Treas. Nelling provided a spreadsheet for the Board with a list of twelve vendors that she would like included in the monthly auto-pay, which include Aqua, Comcast, PECO, Verizon, Blue Cross and the credit card bills. She also provided an estimated monthly amount for each bill. Vice-Chairman Shiring moved to approve auto-pay for the twelve bills presented by Mrs. Nelling; Chairman Boorse seconded the motion which was unanimously approved.

PUBLIC COMMENT

Kathleen Shea, Wylie Rd., said that Wylie Road is being used as a cut-through during rush hours in the morning and evening and the motorists are speeding. She understood that Wylie Road is a State Road and it is in horrible shape. She has been in contact with PennDOT and their response is that “the road is on their list”. Chief Nelling responded that he will address the speeding on the road.

Mrs. Shea said she had looked into putting solar panels on her garage and that feedback she received from the solar panel installation companies is that they didn’t work in Birmingham Township. The Board explained to Mrs. Shea that, previously, solar panel installation required approval from the Zoning Hearing Board. The ordinance has been changed and the requirements relaxed.

Kathleen Woodman, Candy Lane, said that the sight distance at the five points intersection at Dilworthtown is limited coming from Rt. 202 west and she said that it is very difficult to see traffic coming from Old Wilmington Pike without pulling out into the intersection past the wall at the Blue Pear Bistro.

Chief Nelling said that there have only been a few accidents at that intersection. PennDOT looks at the accident history and they won’t do anything at the location until the reportable accident history increases. A police car is periodically posted at the intersection to help,

The meeting was adjourned at 8:03 PM. (SCB;MTS)

Respectfully submitted,

Quina Nelling

Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

05-Apr-22

From: 08-Feb-22 To: 07-Mar-22

| Check No | Check Date | VendorNo | Vendor | Check Amount | Status |
|--|------------|----------|--------------------------|--------------|--------|
| Bank Account: 11 TRUMARK GENERAL FUND | | | | | |
| 21450 | 2/22/2022 | 80 | AQUA PENNSYLVANIA | \$2,400.45 | O |
| 21451 | 2/22/2022 | 1002789 | BADGEANDWALLET | \$77.00 | O |
| 21452 | 2/22/2022 | 366 | BUCKLEY,BRION,MCGUIRE | \$574.00 | O |
| 21453 | 2/22/2022 | 153 | CHESTER COUNTY POLICE | \$75.00 | O |
| 21454 | 2/22/2022 | 775 | CONVENIENT CAR CARE C | \$119.80 | O |
| 21455 | 2/22/2022 | 1002790 | DAVID A. GREEN | \$1,666.84 | O |
| 21456 | 2/22/2022 | 1002258 | EASTERN SALT COMPANY I | \$4,493.25 | O |
| 21457 | 2/22/2022 | 1001827 | GREGORY KUREY | \$422.94 | O |
| 21458 | 2/22/2022 | 21 | H. A. THOMSON | \$266.00 | O |
| 21459 | 2/22/2022 | 936 | PA DUI ASSOCIATION | \$150.00 | O |
| 21460 | 2/22/2022 | 226 | SIRCHIE FINGER PRINT LAB | \$35.41 | O |
| 21461 | 2/22/2022 | 1001833 | STAPLES BUSINESS ADVAN | \$228.66 | O |
| 21462 | 3/7/2022 | 1001913 | VERIZON WIRELESS 722423 | \$187.09 | O |
| 21463 | 3/7/2022 | 11 | 21ST CENTURY MEDIA - PHI | \$335.26 | O |
| 21464 | 3/7/2022 | 80 | AQUA PENNSYLVANIA | \$41.70 | O |
| 21465 | 3/7/2022 | 1002659 | ARRO CONSULTING, INC | \$22,514.88 | O |
| 21466 | 3/7/2022 | 9 | BRUCE E MAPES, PHD | \$200.00 | O |
| 21467 | 3/7/2022 | 366 | BUCKLEY,BRION,MCGUIRE | \$2,329.50 | O |
| 21468 | 3/7/2022 | 873 | CARDMEMBER SERVICE | \$1,243.70 | O |
| 21469 | 3/7/2022 | 1002121 | CLEVENS K-9 SCOOP | \$228.00 | O |
| 21470 | 3/7/2022 | 1001902 | COMCAST BUSINESS | \$159.89 | O |
| 21471 | 3/7/2022 | 70 | CONCORD AUTO BODY, INC | \$1,983.03 | O |
| 21472 | 3/7/2022 | 775 | CONVENIENT CAR CARE C | \$149.75 | O |
| 21473 | 3/7/2022 | 1002606 | CRYSTAL SPRINGS | \$27.65 | O |
| 21474 | 3/7/2022 | 1002791 | DEERFIELD MOWING | \$1,300.00 | O |
| 21475 | 3/7/2022 | 1002011 | FRANCOTYP-POSTALIA INC. | \$237.00 | O |
| 21476 | 3/7/2022 | 2 | FREEDOM SYSTEMS | \$2,011.25 | O |
| 21477 | 3/7/2022 | 933 | GARNET AUTOMOTIVE GRO | \$440.53 | O |
| 21478 | 3/7/2022 | 702 | GEORGE SPYROPOULOS, D | \$150.00 | O |
| 21479 | 3/7/2022 | 21 | H. A. THOMSON | \$5,069.75 | O |
| 21480 | 3/7/2022 | 422 | HARRY TILLMAN AUTOMOTI | \$296.98 | O |
| 21481 | 3/7/2022 | 281 | IACP | \$275.00 | O |
| 21482 | 3/7/2022 | 211 | LEGISLATIVE REFERENCE | \$20.50 | O |
| 21483 | 3/7/2022 | 1002721 | MELISSA URBANY | \$200.00 | O |
| 21484 | 3/7/2022 | 1002053 | MICHAEL J HOCHHAUS | \$250.00 | O |
| 21485 | 3/7/2022 | 205 | PARKWAY DRY CLEANERS, | \$119.55 | O |
| 21486 | 3/7/2022 | 29 | PECO ENERGY | \$1,023.44 | O |
| 21487 | 3/7/2022 | 30 | PECO ENERGY (TRAFFIC LI | \$19.14 | O |

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05-Apr-22

From: 08-Feb-22 To: 07-Mar-22

| Check No | Check Date | VendorNo | Vendor | Check Amount | Status |
|--|------------|----------|---------------------------|--------------------|--------|
| 21488 | 3/7/2022 | 171 | REILLY & SONS INC. | \$797.58 | O |
| 21489 | 3/7/2022 | 811 | S & S CLEANING SERVICE | \$388.00 | O |
| 21490 | 3/7/2022 | 1001833 | STAPLES BUSINESS ADVAN | \$174.60 | O |
| 21491 | 3/7/2022 | 278 | UNRUH, TURNER, BURKE & | \$2,997.00 | O |
| 21492 | 3/7/2022 | 23 | VANDEMARK & LYNCH, INC. | \$63.50 | O |
| 21493 | 3/7/2022 | 61 | VERIZON 753-804-167-0001- | \$363.02 | O |
| 21494 | 3/7/2022 | 917 | WITMER PUBLIC SAFETY G | \$229.83 | O |
| 21495 | 3/7/2022 | 80 | AQUA PENNSYLVANIA | \$4,831.29 | O |
| 21496 | 3/7/2022 | 1002182 | GALE M FITZPATRICK | \$185.00 | O |
| 21497 | 3/7/2022 | 30 | PECO ENERGY (TRAFFIC LI | \$64.78 | O |
| Bank Total: | | | | \$61,417.54 | |
| Bank Account: 81 TRUMARK SEWER FUND | | | | | |
| 10316 | 2/24/2022 | 1002777 | ALEX & MARIA PAPIERNIK | \$5.00 | V |
| 10317 | 2/24/2022 | 1002762 | DAVID FLORENCE | \$16.00 | V |
| 10318 | 2/24/2022 | 1002757 | PEEYUSH & ANAMIKA JAIN | \$165.00 | V |
| 10319 | 2/24/2022 | 1002776 | PUNEET SATIJA | \$141.85 | V |
| 10320 | 2/24/2022 | 1002777 | ALEX & MARIA PAPIERNIK | \$5.00 | O |
| 10321 | 2/24/2022 | 1002762 | DAVID FLORENCE | \$16.00 | O |
| 10322 | 2/24/2022 | 1002757 | PEEYUSH & ANAMIKA JAIN | \$165.00 | O |
| 10323 | 2/24/2022 | 1002776 | PUNEET SATIJA | \$141.85 | O |
| Bank Total: | | | | \$655.70 | |
| Total Of Checks: | | | | \$62,073.24 | |