

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MEETING
MAY 1, 2023**

The regular meeting of the Board of Supervisors was called to order at 7:06 PM in the Township Building by Chairman Boorse with the pledge of allegiance. A quorum of Supervisors was declared.

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

Also in attendance was Township Solicitor Kristin Camp, Esq.

Vice-Chairman Shiring moved to approve the April 3, 2023 minutes as written. Supervisor Hill seconded the motion which was unanimously approved.

Supervisor Hill moved to approve the bills submitted for payment. Chairman Boorse seconded the motion and the bills were unanimously approved. General Fund bills totaled \$197,814.18. Capital Reserve Fund Ck#101 was approved for \$6,322.15 for architect and engineering bills for the township building addition.

ANNOUNCEMENTS

The Supervisors are reviewing the red-lined version of Chapter 122, Article VIII-A, Historic Preservation for comments to be provided to the Township Solicitor and the red-lined version updated and posted to the web site at least two weeks prior to the June 5th meeting.

The Township was notified by Voter Services that the new polling location for District 1 would be the Radley Run Country Club. There was no reason provided for the change in location.

**1075 SQUIRE CHEYNEY DR./JACKSON/ZONING HEARING BOARD (ZHB)
APPLICATION**

The ZHB will be meeting on Wednesday, May 17th @ 7 PM to consider an application from Keith & Lindy Jackson, 1075 Squire Cheyney Dr., for variances from Section 122-24.I (greenspace) and 122-24.C (lot coverage) in order to install an in-ground swimming pool. The ordinance allowance for impervious cover is 10%. Existing impervious is 19.5%. The swimming pool would increase the impervious cover to 21.6%. Mr. Jackson stated that the size of the pool is 16' x 32' with a 3' paved area around the pool.

Chairman Boorse said that the Supervisors will be looking at changing the ordinance requirements in the near future as there are so many non-conforming lots and so many ZHB applications. However, he noted that taking the impervious cover to over 20% is not what the Board wants to see, even if it is a diminimus percentage increase.

Vice-Chairman Shiring moved to take a non-position on the ZHB application for 1075 Squire Cheyney Drive/Jackson and to defer to the expertise of the ZHB to render an appropriate

decision after hearing all the testimony. Supervisor Hill seconded the motion which was unanimously approved.

RADLEY RUN COUNTRY CLUB (RRCC) PARKING PLAN

Condition #7 of the approval for the Radley Run Country Club land development plan was that the applicant develop a parking plan that identifies where the patrons of the various buildings and facilities at the RRCC shall be directed to park. According to Kurt Hutter, member of the Board of Governors of the RRCC, as required by the condition of approval, the parking plan has been posted on the RRCC web site and it will be provided to guests who attend functions at the Club.

Solicitor Camp asked if the purple overflow parking area on the parking plan was paved and lined? Mr. Hutter replied that the purple parking area has been lined periodically but it is not paved. The pink parking area for employees is also not paved. Both are gravel lots.

Mary Pat McCarthy, 916 Adams Way, asked for future plans for paving the lots. Chairman Boorse indicated that there are no provisions in the approval to require asphalt. Solicitor Camp added that a year after the Certificate of Occupancy has been issued that the Township will re-evaluate the parking requirements.

Chairman Boorse stated that the parking plan had been provided to the Township Engineer, Dave Schlott with Arro Consulting, who had indicated that he had no issues with the parking plan.

Chairman Boorse moved to approve the RRCC Site Parking Key Map Plan as submitted to satisfy condition #7 of the Land Development Plan approval. Supervisor Hill seconded the motion which was approved with two in favor and one abstention. Vice-Chairman Shiring recused himself from voting as a partner in his firm represents the RRCC.

MECHANICAL AND HVAC BIDS FOR THE TOWNSHIP BUILDING ADDITION

Bids were opened and awarded at the April 3rd Township meeting for the building addition and the electrical component. No bids were received for the mechanical and plumbing components. Those components were re-bid on April 17th in the Daily Local News. Four bids were received for the mechanical portion and three bids were received for the plumbing portion. Low bids for both components were from LA Building Contractors, Inc., who also were awarded the bid for the building addition. Bids for plumbing ranged from \$22,900. to \$73,000. Bids for mechanical ranged from \$24,650. to \$69,316.00.

Vice-Chairman Shiring moved to award the bid for the mechanical and plumbing components of the building addition to LA Building Contractors LLC for \$47,550.00. Supervisor Hill seconded the motion which was unanimously approved.

POLICE PERSONNEL

Prior to tonight's meeting the Supervisors interviewed a candidate for a part-time police officer position, Brandon McMillen. Mr. McMillen is currently employed in a law enforcement position out-of-state but is looking to move to the area.

Upon the recommendation of Chief Nelling, Chairman Boorse moved to hire Brandon McMillen at the training rate of \$25.00/hr. Mr. McMillen will begin employment within thirty days, as soon as the administrative paperwork has been completed by Chief Nelling. Vice-Chairman Shiring seconded the motion which was unanimously approved.

ZONING OFFICER POSITION

Chairman Boorse stated that the zoning issues have been handled by Arro Consulting. They haven't been handled properly by Arro due to being overworked. There have been some timeliness issues since 2022 which has caused the residents to have to wait for permits. The Township started looking for an alternative solution a couple of months ago. Mark Gordon used to be the Zoning Officer for East Goshen Township. He currently does zoning for Franklin Township and is the interim Zoning Officer for New Garden Township, but that position will be ending in June.

Vice-Chairman Shiring moved to hire Mark Gordon as Zoning Officer at the rate of \$100.00/hr. to handle the Zoning Officer duties for Birmingham Township and to work with the Building Code Official with Arro in order to assist the Township Office and to provide a timely response to the residents. Supervisor Hill seconded the motion which was unanimously approved.

PUBLIC COMMENT

Andrew Holden, 804 General Sterling, thanked Mrs. Nelling for her prompt response in providing the complete 537 Plan documentation for his review per his right-to-know request.

Jennifer Duckenfield, 326 Lea Drive, was present to discuss the on-going concerns from the residents of the Knolls of Birmingham over the increased traffic and near miss accidents with pedestrians on Knolls Road. A survey was done and 87.9% of the residents have experienced increased traffic and dangerous driving experiences. She mentioned several near miss incidents. She proposed the following:

- A stop sign at Lea Drive and Knolls Road
- A crosswalk at Lea Drive

Mrs. Duckenfield said that Chief Nelling has been very responsive in addressing the divots created alongside the road from speeding drivers. The police have also sat at the swimming pool but she knows they can't spend all their time in that location. She also said that the road is very dark as there are no lights. The HOA has been working with PennDOT to try and get the street light at Birmingham Road operational again. She asked what happened to the yellow line that had been installed on the road.

Chief Nelling said it is very important to report incidents to the police department so they can track the incidents. He also said that stop signs cannot be installed to control speed. The yellow line was installed by the HOA without the township's approval. It was a single yellow line which is not legal. The yellow line was removed when Knolls Road was resurfaced.

Chairman Boorse suggested that the speed sign be put back on Knolls Road so drivers know the speed they are driving. He emphasized Chief Nelling's comment that for stop signs there needs to be an accident history and there need to be warrants for the installation of a stop sign. He

reiterated that the police need to be called. He suggested videotaping any erratic driving. He asked when the speeding was the worse. Mrs. Duckenfield replied that it was worse during rush hours, AM and PM.

Mrs. Duckenfield said that the situation will worsen when the swimming pool opens on Memorial Day.

Vice-Chairman Shiring suggested that the Township Traffic Engineer, TP&D, be contacted to do a traffic study and provide options to the Board. Chief Nelling will contact TP&D.

Nick Ridgely, 476 Crescent Drive, stated that he is on the stormwater management committee for the Knolls of Birmingham. He thanked the Township for the repair work recently done. He said that on Crest Drive the water runs on top of the stormwater pipe instead of inside the pipe which has caused sinkholes to develop. Gravel has been put in the sinkhole as a temporary measure.

Chief Nelling responded that the storm pipe needs to be replaced. An ARPA H2O Grant has been submitted for stormwater pipe replacement.

Chairman Boorse added that the Township had the storm pipes videoed. The Knolls of Birmingham had 80% of the problems and Birmingham Hunt 20%. If the H2O Grant is received, the State will cover 2/3 of the expense and the Township 1/3. If the Grant is not received the Township will have to pay the cost to do the work at some point. There is no time frame on when the Grant award will be known.

Mrs. Duckenfield said that the HOA for the Knolls of Birmingham is trying to be proactive with its review of the stormwater management facilities and she asked about the possibility of coordinating work with the Township.

Solicitor Camp indicated that the Township could let the Knolls of Birmingham HOA know who the successful bidder will be for the work but the project can't be bid together because the Township is required to pay prevailing wage.

Mary Pat McCarthy expressed concern over the possible increase in sewer rent with the fear of Aqua buying the sewer system from Bucks County Water and Sewer Authority. Ms. McCarthy was informed that BCWSA declined the offer from Aqua.

The meeting was adjourned at 7:49 PM. (SCB;MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

07-Jun-23

From: 04-Apr-23 To: 01-May-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 11 TRUMARK GENERAL FUND					
22035	4/17/2023	11	21ST CENTURY MEDIA - PHI	\$305.00	O
22036	4/17/2023	881	AMERICAN ROCK SALT CO	\$3,665.86	O
22037	4/17/2023	366	BUCKLEY,BRION,MCGUIRE	\$1,497.00	O
22038	4/17/2023	617	CHESTER WATER AUTHORI	\$653.40	O
22039	4/17/2023	1002121	CLEVENS K-9 SCOOP	\$228.00	O
22040	4/17/2023	775	CONVENIENT CAR CARE C	\$239.65	O
22041	4/17/2023	1002606	CRYSTAL SPRINGS	\$23.52	O
22042	4/17/2023	1002853	GOVERNMENT FORMS AND	\$99.45	O
22043	4/17/2023	1002801	GREG RADFORD, ARCHITE	\$1,292.40	O
22044	4/17/2023	27	H. A. WEIGAND INC.	\$461.00	O
22045	4/17/2023	422	HARRY TILLMAN AUTOMOTI	\$609.96	O
22046	4/17/2023	904	MATTHEW BENDER & CO.,I	\$60.44	O
22047	4/17/2023	205	PARKWAY DRY CLEANERS,	\$111.65	O
22048	4/17/2023	171	REILLY & SONS INC.	\$970.99	O
22049	4/17/2023	1001833	STAPLES BUSINESS ADVAN	\$94.04	O
22050	5/1/2023	1002659	ARRO CONSULTING, INC	\$27,467.33	O
22051	5/1/2023	1002659	ARRO CONSULTING, INC	\$4,023.25	O
22052	5/1/2023	1002709	BLUE 360 MEDIA, LLC	\$99.39	O
22053	5/1/2023	5	BOROUGH OF WEST CHES	\$19,888.50	O
22054	5/1/2023	775	CONVENIENT CAR CARE C	\$219.70	O
22055	5/1/2023	2	FREEDOM SYSTEMS	\$475.00	O
22056	5/1/2023	422	HARRY TILLMAN AUTOMOTI	\$367.99	O
22057	5/1/2023	1002793	HOFFMANS EXTERMINATIN	\$100.00	O
22058	5/1/2023	1001755	MAJIC LANDSCAPES	\$3,615.00	O
22059	5/1/2023	1002856	PREMIER CONCRETE, INC.	\$103,246.00	O
22060	5/1/2023	171	REILLY & SONS INC.	\$850.68	O
22061	5/1/2023	507	ROTHWELL DOCUMENT SO	\$277.73	O
22062	5/1/2023	1002855	RR DONNELLEY	\$42.35	O
22063	5/1/2023	226	SIRCHIE ACQUISITION COM	\$9.22	O
22064	5/1/2023	829	U.S. FINANCIAL LIFE INSUR	\$1,312.90	O
22065	5/1/2023	832	WEST CHESTER PUBLIC LI	\$3,062.00	O
22066	5/1/2023	780	LAND ART	\$3,035.00	O
22067	5/1/2023	1002606	CRYSTAL SPRINGS	\$47.64	O
22068	5/1/2023	205	PARKWAY DRY CLEANERS,	\$106.95	O
22069	5/1/2023	811	AGM LLC	\$388.00	O
22070	5/1/2023	881	AMERICAN ROCK SALT CO	\$1,875.12	O
22071	5/1/2023	289	GENERAL CODE PUBLISHE	\$4,200.00	O
Bank Total:				\$185,022.11	

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07-Jun-23

From: 04-Apr-23 To: 01-May-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 22 GF - Electronic Payments					
100107	4/17/2023	80	AQUA PENNSYLVANIA	\$2,679.67	O
100108	4/17/2023	29	PECO ENERGY	\$531.72	O
100109	4/28/2023	1002798	TRUMARK FINANCIAL CRED	\$1,285.83	O
100110	5/1/2023	80	AQUA PENNSYLVANIA	\$80.60	O
100111	5/1/2023	517	INDEPENDENCE BLUE CRO	\$7,812.56	O
100112	5/1/2023	30	PECO ENERGY (TRAFFIC LI	\$56.30	O
100113	5/1/2023	1001913	VERIZON WIRELESS 722423	\$159.88	O
100114	5/1/2023	1001926	AJ BLOSENSKI, INC.	\$170.80	O
100115	5/1/2023	30	PECO ENERGY (TRAFFIC LI	\$14.71	O
Bank Total:				\$12,792.07	
Bank Account: 30 Capital Reserve Fund					
101	5/1/2023	483	BIRMINGHAM TOWNSHIP T	\$6,322.15	O
Bank Total:				\$6,322.15	
Total Of Checks:				\$204,136.33	