

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
OCTOBER 6, 2008**

The regular meeting of the Board of Supervisors was called to order at 7:34 PM in the Township Building by Vice-Chairman Kirkpatrick with the pledge of allegiance and a moment of silence. A quorum of Supervisors was declared. The following Township Officials were in attendance:

William Kirkpatrick	-	Vice-Chairman, Board of Supervisors
Al Bush	-	Member, Board of Supervisors
Dave Rathbun	-	Roadmaster
Dr. Robert Reder	-	Recreation, Park & Open Space Comm. Member
Lloyd Roach	-	Emergency Management Coordinator
Quina Nelling	-	Secretary/Treasurer

Absent was Chairman of the Board of Supervisors, John Conklin.

Mr. Kirkpatrick moved to approve the September 15, 2008 minutes as written. Mr. Bush seconded the motion and it was carried.

Mr. Kirkpatrick moved to approve the bills submitted for payment. General Fund bills totaled \$150,033.01. Sewer Fund bills totaled \$12,028.16. Mr. Bush seconded the motion and it was carried.

ANNOUNCEMENTS

The Township Engineer's report has been deferred to the October 20, 2008 meeting.

The Recreation, Park & Open Space Committee meeting scheduled for Wednesday, October 15th has been cancelled and rescheduled for Wednesday, October 29, 2008 @ 7 PM.

HARB REPORT

HARB met on September 16, 2008 to consider an application from Stephen and Teresa Cohan, 1005 Bottom Lane, for an addition and renovations to their house. The Plan, drawn by Design Workshop, Inc. of Hockessin, Delaware, dated March 12, 2008, last revised May 19, 2008, proposes renovations to the kitchen, family room and deck as well as the addition of a third bay to the garage. Teresa Cohan was present. She provided Mrs. Nelling with the building permit application. She complained about the difficulty involved with completing the application and the fact that there are no directions on how to complete the various sections of the form. She didn't think that many sections of the form were applicable to the application. The only comment from the Board was about how much work was being proposed for the house. Mr. Kirkpatrick moved to approve a Certificate of Appropriateness for the Cohans for the renovations being proposed for their house at 1005 Bottom Lane as recommended by HARB. Mr. Bush seconded the motion and it was carried.

AUTHORIZE ADVERTISING ON ORDINANCE AMENDING CHAPTER 147

During discussion with the Building Inspector, Pete Marberger, the Supervisors became aware that the permit requirements for miscellaneous structures 1,000 sq. ft. or under do not require building permits per the UCC. The Supervisors felt that permits should be required for structures over 250 sq. ft. and instructed the Township Solicitor to draft an ordinance proposal. Because the requirement is more stringent than the UCC, the draft ordinance proposal needed to be sent to the UCC for review and approval. In a letter dated September 25, 2008, Jon Balson, Chief of the Uniform Construction Code Division of L&I, stated that the requirement meets or exceeds the requirement of the UCC and the Township can proceed with adoption of the ordinance. Mr. Bush moved to authorize advertising on a hearing for Monday, November 3, 2008 @ 7:15 PM. Mr. Kirkpatrick seconded the motion and it was carried.

ROAD REPORT

Mr. Rathbun submitted a third quarter written report to the Board. Two complaints regarding sinkholes have been received since the start of the road program. One is at the inlet between 635 and 637 Jaeger Circle and two additional sinkholes were reported by Penco Management at 601 Jaeger Circle and next to the storm drain behind 469/471 Crescent Drive. The sink holes next to the storm drain and at the inlet between 635 and 637 Jaeger Circle were added to the road program. The sink hole next to 601 Jaeger Circle is a minor depression and it will be watched by Mr. Rathbun.

Mr. Rathbun reported that the \$188,646. Road program awarded to Petrucci Paving has been completed except for the channel restoration and drain pipe repairs at the entrance to Kadar Drive. This work is pending contingent on a decision to proceed from the Supervisors. In addition to the inlet repair work, some patching on Old Wilmington Pike was added to the road program.

Mr. Rathbun said that \$15,000. was added to the road program because of the prevailing wage requirement. However, there was a cost savings of \$7,000. because less tonnage of asphalt was needed than estimated, so the net difference will be an \$8,000. additional outlay of funds by the Township. If the channel work is not done on Kadar Drive an additional \$1,500. savings will be realized.

Mr. Rathbun said that VanDemark & Lynch, Inc. had been very pleased with Petrucci's work and there were no complaints. Mrs. Nelling said that Petrucci got off to a rough start because all the required paperwork had not been submitted before they started work on the project.

Mr. Rathbun said that the Township expects to receive \$111,545. in liquid fuels for 2009. The State has advised that the funds have been decreased because revenues have declined because of the high price of fuel. Mrs. Nelling said that various townships are reporting a \$4,000. - \$5,000. decrease in liquid fuels funding.

Mr. Rathbun said that the fall road inspection is scheduled for Thursday, October 23rd @ 8 AM. He will need a count from the BOS on attendance so the Township Engineer will know what size vehicle to bring.

Mrs. Nelling advised Mr. Rathbun that Revolutionary Drive was starting to crack at various locations along the sides of the road. Mr. Rathbun commented that it had been originally installed in 1983 and it had never had an overlay.

PUBLIC COMMENT

Lloyd Roach reminded the Board that the emergency management table top exercise is scheduled for Wednesday, October 22, 2008 @ 3 PM. There will be three attendees from the Dept. of Emergency Services as well as Chief Nelling and the Supervisors.

Mr. Roach reported that he had attended two more days of training to complete the second half of the ICS Course, for a total of five long days of training. He has completed all the requirements necessary for the EMC Coordinators which enables Birmingham Township to be one of four townships in the County that is certified.

Jacquie Roach, Meetinghouse Road, said that she noticed that the for sale sign on the Cacchio property (Birmingham Road) was changed from acreage to a lot for sale. She asked if the demolition permit runs with the property or with the owner and how long it is valid if it runs with the property. Mrs. Nelling will research those questions and get back to Mrs. Roach.

The meeting was adjourned at 8 PM. (AWB)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer