

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JUNE 6, 2016**

The regular meeting of the Board of Supervisors was called to order at 7:31 PM in the Township Building by Chairman Conklin with the pledge of allegiance. A quorum of Supervisors was declared.

John Conklin	-	Chairman
Scott Boorse	-	Vice-Chairman
Mike Shiring	-	Supervisor

Supervisor Shiring moved to approve the May 2, 2016 minutes as written. Chairman Conklin seconded the motion and the minutes were unanimously approved.

Vice-Chairman Boorse moved to approve the bills submitted for payment. General Fund bills totaled \$60,165.82. Sewer Fund bills totaled \$41,167.58. Supervisor Shiring seconded the motion and the bills were unanimously approved.

PUBLIC COMMENT

The Commonwealth of PA Sunshine Law Act 93 (as amended in 1998) requires public comment to be held before official action is taken. There was no public comment.

ROAD PROGRAM UPDATE

Dave Rathbun, Roadmaster, informed the Board that there were two more inlet failures in the Knolls of Birmingham, one behind a berm off of Crescent Drive and one off of Knolls Road. The Township has received a proposal from Page Excavating for \$3,155.00 for the repairs.

Supervisor Shiring questioned why the Township was repairing inlets in the open space of developments? Mr. Rathbun explained that the Township has always accepted responsibility for maintaining storm sewer pipes that drain water from public rights-of-ways to the point of discharge from the pipe. Often, a storm sewer will turn and exits the right-of-way and runs through adjoining lands, typically an easement. The easement gives the Township the legal right, but not the obligation, to maintain the storm sewer but the ownership of the pipe would be with the landowner. Once the storm runoff leaves the pipe, the Township no longer assumes responsibility.

Vice-Chairman Boorse noted that if the pipe is clearly in open space that some Townships draw the line on repairs at the edge of the right-of-way and do not do repairs in easements. However, since there is an open hole at the inlet and there is clearly a health and safety issue, he would be in favor of approving the work by the Township. However, the Township needs to look at what other townships do in this area.

Supervisor Shiring agreed if there is precedent to do this work in the Township that he would be in favor of approving the proposal this time but that he may not vote favorably in the future.

The Board agreed that this is a policy that should be reviewed.

Chairman Conklin moved to approve the \$3,155.00 expenditure to Page Excavating for the inlet repairs. Supervisor Shiring seconded the motion which was unanimously approved.

Mr. Rathbun informed the Board that there is a sink hole on Yorkshire Way that needs to be patched. Also, he and the Township Engineer, Jim Hatfield, will be meeting with Asphalt Paving Systems on Wednesday, June 8th at 10 AM to discuss the slurry seal and tar and chip work that is expected to start later this month. The contractor will notify the residents of the start date for the planned work. This work will complete the road program.

ZONING HEARING BOARD APPLICATIONS

The Zoning Hearing Board will be meeting on Wednesday, June 22 starting at 5 PM to consider two applications.

VARRIALE/631 GENERAL WEEDON DRIVE

Antimo Varriale, 631 General Weedon Drive, has applied for a variance from the maximum impervious coverage requirement in Section 122-24.C. and a variance from the minimum green space requirement of Section 122-24.I of the Township Code to allow the addition of 318 square feet of impervious coverage from the construction of a garage addition to the house.

Chairman Conklin noted that there was already a lot of impervious coverage on the property. Mr. Varriale said that a lot of it was from the pool pavers. Supervisor Shiring moved to take a non-position on the application and to defer to the expertise of the Zoning Hearing Board. Vice-Chairman Boorse seconded the motion which was unanimously approved.

MILLER/1060 WEST STREET ROAD

William Miller, 1060 West Street Road, has applied for a variance from the front yard setback requirement in Section 122-19.D.G of the Township Code for a porch addition on the existing house.

Mr. Miller informed the Board that he wants to push the existing porch out another two to three feet. The house is right along Rt. 926 so the porch will increase the non-conformity of the structure according to Supervisor Shiring. Chairman Conklin moved to take a non-position on the application and to defer to the expertise of the Zoning Hearing Board. Vice-Chairman Boorse seconded the motion which was unanimously approved.

AUSTIN/1140 DORSET DRIVE/SEWER AGREEMENT

James & Judith Austin, 1140 Dorset Drive in Spring Meadows, have proposed to correct a failing on-lot sewage system with the installation of an ecoflo coco filter treatment sewer replacement system and at grade absorption area for their property. As was done with drip irrigation systems installed on properties in the township, an installation and maintenance agreement for the system needs to be entered into between the township and the property owners to ensure the on-going maintenance of the system.

Chairman Conklin moved to enter into the installation and maintenance agreement for the sewer replacement system for the Austins as prepared by Solicitor Camp. Supervisor Shiring seconded the motion which was unanimously approved.

SEWER PLANT RENT

Sewer Administrator Bill Kirkpatrick reported to the Board that the sewer plant has undergone the state mandated nitrogen removal upgrade project. During the project it was found that the last twenty-six years of sludge has taken its toll on the tanks and unexpected repairs and maintenance were done to the plant during the project. The cost of the project and the maintenance repairs to date is \$770,948.08. (C&H Industrial - \$425,028.48; Evoqua - \$157,000.00; AECOM/URS - \$125,723.55 and the balance to the operator, M&B Environmental, and the Township Solicitor, Kristin Camp with Buckley, Brion, et al). Mr. Kirkpatrick stated that about \$550,000.00 was spent on the nitrogen removal upgrade project. Mr. Kirkpatrick recommended an \$8.00/quarter/edu increase in the sewer rent, which will result in a 5.5% increase in the rate, which continues to be 20+% lower than surrounding townships. The increase will also help replenish the capital reserve fund which has been depleted.

Chairman Conklin thanked Mr. Kirkpatrick for doing such fine work on sewer matters for the Township. He noted that the plant is funded by the 400 users that are serviced by the plant. He commented that \$225,000. needed to be used on repairs to the plant but that the remaining \$550,000., which was used for the nitrogen removal upgrade project, is a shameful use of the money of these 400 users as the end result of the upgrade will not have a noticeable or significant effect on the environment.

Supervisor Shiring moved to increase the sewer rent from \$145./edu/quarter to \$153./edu/quarter effective July 1, 2016. Chairman Conklin seconded the motion which was unanimously approved. As the sewer rent is billed for the prior quarter the rate increase will be reflected on the October 1st billing.

POLICE REPORT

Chief Nelling reported for the month of May. There were 1,100 incidents for the month including 16 criminal arrests, six of which were DUI's. There were 7,185 patrol miles logged on the vehicles during the month. Items were stolen out of two unlocked vehicles, one in Spring Meadows and one in Radley Run.

Police Commissioner Scott Boorse read a thank you letter from residents of Thornbury Township for the services of Officer Kevin Urbany in recovering their stolen vehicle. He noted that these letters are typical of ones received for the very good job the Birmingham Officers do on assistance.

AUTHORIZE ADVERTISING FOR CPA FOR 2016 AUDIT

The Township is in receipt of an engagement letter for the 2016 audit from BBD, LLP for \$5,000.00. There is no proposed increase to the rate for the audit. BBD, LLP has performed the audit for the Township for the last two years.

Supervisor Shiring moved to authorize advertising for the consideration at the July 11th meeting the appointment of the public accounting firm of BBD, LLP to perform the 2016 audit for \$5,000. Vice-Chairman Boorse seconded the motion which was unanimously approved.

EAST BRADFORD TOWNSHIP COMPREHENSIVE PLAN

The Township is in receipt of an update to the East Bradford Township Comprehensive Plan which was given to Planning Commission Member Nick DiMarino to review for the June Planning Commission (PC) meeting. The Township has a forty-five day review period according to the Municipalities Planning Code. The Supervisors next meet on July 11th which will take the comment period past the forty-days.

Chairman Conklin has reviewed the updated comprehensive plans from surrounding municipalities in the past. He preferred to review this one as well and the Board agreed that they would prefer that the plan and the PC comments be reviewed by the Board rather than just having the PC comments forwarded to East Bradford Township. Sect./Treas. Nelling will notify East Bradford Township that the review comments will be forwarded after the July 11th Board meeting.

The meeting was adjourned at 8:03 PM.

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

17-May-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN GENERAL FUND				
17915	5/17/2016	149	AECOM	\$545.76
17916	5/17/2016	80	AQUA PENNSYLVANIA	\$2,348.25
17917	5/17/2016	1002194	BRAD & KENDRA ADEY	\$106.66
17918	5/17/2016	1001908	DEBRA GALLEK	\$237.50
17919	5/17/2016	560	DRUGSCAN, INC.	\$336.00
17920	5/17/2016	2	FREEDOM SYSTEMS	\$1,188.88
17921	5/17/2016	114	FRONEFIELD CRAWFORD. JR. LL	\$920.00
17922	5/17/2016	46	GALLS, LLC	\$96.00
17923	5/17/2016	21	H. A. THOMSON	\$6,227.50
17924	5/17/2016	1002153	HARRIS CORPORATION PSPC	\$984.01
17925	5/17/2016	422	HARRY TILLMAN AUTOMOTIVE L	\$2,040.39
17926	5/17/2016	517	INDEPENDENCE BLUE CROSS	\$5,169.89
17927	5/17/2016	904	MATTHEW BENDER & CO., INC	\$48.44
17928	5/17/2016	29	PECO ENERGY	\$507.21
17929	5/17/2016	30	PECO ENERGY (TRAFFIC LIGHT)	\$69.91
17930	5/17/2016	1001951	R R DONNELLEY	\$287.50
17931	5/17/2016	171	REILLY & SONS INC.	\$370.59
17932	5/17/2016	75	RJCRAIG GRAPHICS & DESIGN	\$55.00
17933	5/17/2016	811	S & S CLEANING SERVICE	\$368.33
17934	5/17/2016	1001833	STAPLES BUSINESS ADVANTAG	\$1,059.44
17935	5/17/2016	1001763	TASER INTERNATIONAL	\$204.92
17936	5/17/2016	1002195	TERRASOL ENERGIES INC	\$259.72
17937	5/17/2016	1001988	THE STANDARD INSURANCE CO	\$526.94
17938	5/17/2016	278	UNRUH, TURNER, BURKE & FRE	\$3,628.62
17939	5/17/2016	1002154	VERIZON 610-4291316 676	\$46.41
17940	5/17/2016	61	VERIZON 610-793-2600-794	\$325.52
Bank Totals:				\$27,959.39
Total Of Checks:				\$27,959.39

Check Register**BIRMINGHAM TOWNSHIP**

17-May-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN SEWER FUND				
8959	5/17/2016	149	AECOM	\$8,258.68
8960	5/17/2016	1002016	COURIER SYSTEMS, INC.	\$2.50
8961	5/17/2016	1001859	COYNE CHEMICAL	\$3,660.25
8962	5/17/2016	2	FREEDOM SYSTEMS	\$762.37
8963	5/17/2016	1001963	M & B ENVIRONMENTAL INC	\$7,911.73
8964	5/17/2016	798	PA ONE CALL SYSTEM, INC.	\$33.62
8965	5/17/2016	29	PECO ENERGY	\$3,701.52
8966	5/17/2016	171	REILLY & SONS INC.	\$385.41
8967	5/17/2016	1002176	SITE SPECIFIC DESIGN, INC.	\$770.00
8968	5/17/2016	586	VERIZON 610-399-6923 315	\$74.98
Bank Totals:				\$25,561.06
Total Of Checks:				\$25,561.06

Check Register

BIRMINGHAM TOWNSHIP

01-Jun-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN SEWER FUND				
8969	6/1/2016	661	COMMONWEALTH OF PENNSYL	\$500.00
Bank Totals:				\$500.00
Total Of Checks:				\$500.00

Check Register

BIRMINGHAM TOWNSHIP

01-Jun-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN GENERAL FUND				
17941	6/1/2016	1001913	VERIZON WIRELESS	\$148.70
Bank Totals:				\$148.70
Total Of Checks:				\$148.70

Check Register**BIRMINGHAM TOWNSHIP**

06-Jun-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN GENERAL FUND				
17942	6/6/2016	8	10-8 EMERGENCY VEHICLE SER	\$639.32
17943	6/6/2016	1002196	1396 WILMINGTON PK MGMT LL	\$909.13
17944	6/6/2016	1001926	AJ BLOENSKI, INC.	\$147.74
17945	6/6/2016	80	AQUA PENNSYLVANIA	\$45.00
17946	6/6/2016	9	BRUCE E MAPES, PHD	\$200.00
17947	6/6/2016	366	BUCKLEY, BRION, MCGUIRE ATTY	\$2,824.00
17948	6/6/2016	873	CARDMEMBER SERVICE	\$523.75
17949	6/6/2016	1002121	CLEVENS K-9 SCOOP LLC	\$189.00
17950	6/6/2016	1001902	COMCAST CABLE	\$104.85
17951	6/6/2016	775	CONVENIENT CAR CARE CORPO	\$524.70
17952	6/6/2016	232	ELYSE/BERBEN INSIGNIA	\$57.20
17953	6/6/2016	585	EMERGENCY SYSTEMS SERVIC	\$725.00
17954	6/6/2016	1002011	FRANCOTYP-POSTALIA INC	\$237.00
17955	6/6/2016	2	FREEDOM SYSTEMS	\$123.25
17956	6/6/2016	1001930	FRY COMMUNICATIONS, INC.	\$82.00
17957	6/6/2016	46	GALLS, LLC	\$250.07
17958	6/6/2016	702	GEORGE SPYROPOULOS, D.O.	\$150.00
17959	6/6/2016	780	GUMBALL MEDIA, LLC\LAND ART	\$5,650.00
17960	6/6/2016	422	HARRY TILLMAN AUTOMOTIVE L	\$251.97
17961	6/6/2016	1001755	MAJIC LANDSCAPES	\$1,624.00
17962	6/6/2016	542	METRO ALERT	\$1,930.00
17963	6/6/2016	3	PA TWP HEALTH INS COOP TRU	\$1,175.16
17964	6/6/2016	205	PARKWAY DRY CLEANERS, INC.	\$147.60
17965	6/6/2016	554	RED THE UNIFORM TAILOR	\$302.78
17966	6/6/2016	171	REILLY & SONS INC.	\$818.28
17967	6/6/2016	75	RJCRAIG GRAPHICS & DESIGN	\$49.00
17968	6/6/2016	811	S & S CLEANING SERVICE	\$368.33
17969	6/6/2016	1001763	TASER INTERNATIONAL	\$38.09
17970	6/6/2016	23	VANDEMARK & LYNCH, INC.	\$11,970.51
Bank Totals:				\$32,057.73
Total Of Checks:				\$32,057.73

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06-Jun-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN SEWER FUND				
8970	6/6/2016	149	AECOM	\$9,511.03
8971	6/6/2016	80	AQUA PENNSYLVANIA	\$1,348.69
8972	6/6/2016	366	BUCKLEY,BRION,MCGUIRE ATTY	\$85.00
8973	6/6/2016	585	EMERGENCY SYSTEMS SERVIC	\$1,325.00
8974	6/6/2016	1001755	MAJIC LANDSCAPES	\$575.00
8975	6/6/2016	29	PECO ENERGY	\$274.95
8976	6/6/2016	574	WASTE MANAGEMENT OF SOUT	\$48.85
8977	6/6/2016	1001834	WM P MCGOVERN INC	\$1,938.00
Bank Totals:				\$15,106.52
Total Of Checks:				\$15,106.52