

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
MAY 2, 2016**

The regular meeting of the Board of Supervisors was called to order at 7:32 PM in the Township Building by Chairman Conklin with the pledge of allegiance. A quorum of Supervisors was declared.

John Conklin	-	Chairman, Board of Supervisors
Scott Boorse	-	Vice-Chairman, Board of Supervisors
Michael Shiring	-	Member, Board of Supervisors

Chairman Conklin moved to approve the April 4, 2016 minutes as written. Mr. Boorse seconded the motion and the minutes were approved with Mr. Shiring abstaining from voting as he was not in attendance.

Mr. Boorse moved to approve the bills submitted for payment for the month. General Fund bills totaled \$47,899.18. Sewer Fund bills totaled \$69,343.24. State Fund Check #179 to Innovative Construction was approved for \$135,817.46. Chairman Conklin 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.

Harry Miller, Bottom Lane, and Cynthia Emlet, Samuel Lane, were present representing the defunct Dilworthtown Civic Association. The Association has a bank balance of \$1,180. As the group was funded by residents of the Township, Mr. Miller and Mrs. Emlet felt the money should go to the Township. Specifically, they requested that the donation be earmarked for the purchase of defibrillators for the police cars so that every police car would be equipped with a defibrillator. Those present applauded the donation.

NEW POLICE HIRE

Prior to tonight's meeting the Supervisors interviewed a new candidate for the police department. Upon the recommendation of Chief Nelling, Mr. Shiring moved to hire Christopher Vasek as a part-time police officer at the contract starting salary of \$21.62/hr. Mr. Boorse seconded the motion which was unanimously approved.

ROAD PROGRAM UPDATE FROM DAVE RATHBUN

Roadmaster Dave Rathbun provided an update on the 2016 Road Program. A written status report was e-mailed to the Board from the Township Engineer, Jim Hatfield. Innovative Construction Services was awarded the contract for \$220,577.00. They have completed the patching, milling and overlay work. Work that still needs to be completed is the inlet repair on Lafayette Place; crack sealing, and slurry seal and sealcoating (to be done by Asphalt Paving in early June). It is anticipated that the cost of the work will be 3.45% over budget (\$7,610.96).

Non-road program work done, or to be done, includes drainage repair on Knolls Road - \$4,810.00; shoulder repair on Heartsease Drive - \$6,000.00; and Rt. 926/Birmingham Road intersection repairs - \$6,500.00, plus costs from Signal Service, which will bring the cost of road work for the year to \$245,597.96 which is \$15,000.00 over the \$230,000.00 budgeted for road work this year.

Chairman Conklin stated that additional road work items were approved at the April meeting due to the excess funds from the snow removal budget and the general condition of the roads.

Mr. Rathbun noted that several mailboxes were damaged by the milling machine which have been repaired by the contractor.

Harry Miller complimented the excellent job that Dave Rathbun does for the Township as Roadmaster. He said it was too bad the Township can't do work on state roads and bill PennDOT as the job done by PennDOT in maintaining the road system is a disgrace.

MLV FAMILY PARTNERSHIP REQUEST FOR EMPLOYEE PARKING DURING CONSTRUCTION

On behalf of Otto's BMW, Michael Vadasz was present to request permission for employee parking at the Dilworthtown Inn from 7:30 AM – 5:00 PM for about 60 cars until the new dealership opens Labor Day 2017. Mr. Vadasz has received permission from Jim Barnes, owner of the Dilworthtown Inn, to park at the site which will not interfere with the business of the Inn. The parking will occur near the far side of the lot away from the Inn. Shuttle busses will leave the site every fifteen minutes to transport the employees to the workplace.

Chairman Conklin moved to support the off-site parking request for Otto's BMW employees at the Dilworthtown Inn conditioned upon approval by the owner of the Inn, Jim Barnes, and for the hours stated from 7:30 AM – 5:00 PM. Mr. Boorse seconded the motion which was unanimously approved.

BIKE THE BRANDYWINE EVENT/BRANDYWINE CONSERVANCY

Meredith Mayer and Rob Daniels were present from the Brandywine Conservancy to inform the Board of a planned bike ride event on September 17th. The bikers will travel through Birmingham Township but it will all be on state roads. This will be the first such bike event sponsored by the Brandywine Conservancy. The bikers will traverse state bike route L which will follow the Brandywine River from the East Branch in Downingtown back to the West Branch. There will be two separate groups and start times for a forty mile route and an eighty mile route. The event will be held from 7:30 AM – 2 or 4 PM. It is anticipated that there will be 600 riders participating. They felt there would be minimum traffic disruption. Flaggers and/or police will be used at the intersection of Rt. 926 and Creek Road. They requested permission to place a temporary event sign on the meadow by the road next to the Chadds Ford Historical Society for three months. The sign will be a 4 x 18 two sided triangular sign.

Mr. Shiring moved to support the temporary event sign for the Bike the Brandywine Event on September 17th. Chairman Conklin seconded the motion which was unanimously approved.

It was recommended that Chief Nelling be contacted for police detail services for traffic control.

RADLEY RUN COUNTRY CLUB (RRCC) FIREWORKS

Joe Mendez, Radley Run Country Club General Manager, and Jim Rosenthal were present to advise the Board of the plans by the RRCC to conduct a fireworks display on July 3rd. A successful fireworks display was held last year in combination with the 50th anniversary celebration of the RRCC. The fireworks will be of similar size, scope and location as last year's display. The township; residents; and community will be welcomed to the event through the website of the RRCC.

Chief Nelling responded to Mr. Boorse that there were no complaints from the fireworks display last year.

The Board was supportive of the fireworks display. A layout of the fireworks needs to go to Chief Nelling and a permit needs to be issued from him as Fire Marshal for the Township.

HARB REPORT/FLEMING/1025 MEETINGHOUSE ROAD/PAINT

HARB met on April 16th to consider the application of Steve and Kelly Fleming, 1025 Meetinghouse Road, to repaint the siding, window trim and exterior doors of their home. The color for the wood siding is Colony Buff; the window trim is New Colonial Yellow; and the exterior doors will be Roycroft Copper Red, all by Sherwin Williams.

Chairman Conklin moved to approve the Certificate of Appropriateness for the repainting by the Flemings at their house at 1025 Meetinghouse Road as recommended by HARB. Mr. Shiring seconded the motion which was unanimously approved.

PENNDOT RESOLUTION/SIGNATORY FOR PENNDOT BUSINESS PARTNER

The Township Engineer, Jim Hatfield of VanDemark & Lynch, Inc., requested that the Township apply for a business partner relationship with PENNDOT so that they can apply for a highway occupancy permit on behalf of the Township for the repair work at the Rt. 926/Birmingham Road intersection. The permit application will include the installation of curb in front of the traffic signal utility box, as well as a minor relocation of the box, and the associated asphalt patching in front of the curb as well as grading of the embankment behind the curb. The curb is being placed to prevent traffic from continuing to cut the corner which is cutting the embankment back, which has led to the existing problem.

Mr. Shiring moved to pass Resolution #160502 to authorize the Township Secretary/Treasurer, Quina Nelling, to execute the agreement with PennDOT to authorize the electronic access to the PennDOT system in order to register as a department business partner to be permitted electronic access to the Engineering Construction Management System in order for VanDemark & Lynch to be able to apply for a highway occupancy permit for the repair project at the intersection of Rt. 926 and Birmingham Road. Mr. Boorse seconded the motion which was unanimously approved.

TREASURER'S REPORT

Sect./Treas. Nelling reported for the first quarter 2016.

General Fund Balance - \$785,992.
Sewer Fund Balance - \$313,631.
State Fund Balance - \$195,088.

<u>General Fund</u>	<u>Budget</u>	<u>Actual</u>
Revenues	\$2,156,956.	\$1,169,743.
Carry Forward in Revenues	\$ 871,811.	\$ 909,907.
Real Estate Transfer Tax	\$ 140,000.	\$ 16,660.
Building Permits	\$ 60,000.	\$ 13,504.
Vehicle Code Violations	\$ 30,000.	\$ 10,328.
Expenditures	\$1,532,939.	\$ 383,752.
Police Department	\$ 573,559.	\$ 154,139.

Tax bills were mailed March 15th.

<u>Sewer Fund</u>	<u>Budget</u>	<u>Actual</u>
Revenues	\$ 688,401.	\$ 434,717.
(Actual includes a carry forward of \$387,543.)		
Expenditures	\$ 387,543.	121,086.

Cost of unfunded mandate for nitrogen removal upgrade at the WWTP since 2014 is \$760,349.

NITROGEN UPGRADE REMOVAL PROJECT REPORT FROM BILL KIRKPATRICK

Mr. Kirkpatrick, sewer administrator, said that the original cost estimate for the nitrogen removal upgrade project was \$450,000. - \$500,000. The Township has already spent almost \$300,000. more than the estimate with another \$50,000.+ estimated to be spent on engineering fees. The reason is that the project required 19 change orders. When the tanks were opened it was discovered that many of the metal components on the inside of the tanks had deteriorated and the tanks had to basically be re-built.

Testing on the nitrogen levels was performed in March. The sewer plant is not yet meeting the Pennsylvania mandated nitrogen reduction standard. The Township contracted with Evoqua for the process upgrade and equipment for the plant to achieve the nitrogen reduction objective. Evoqua bought out the original supplier of the plant and process, Davco. Evoqua has been contacted for additional technical assistance to achieve the project objectives.

DEP has been notified that the construction has been completed and that the Township continues in the start-up phase of the project. The Township had a December 2015 deadline to meet the required standard. While the nitrogen levels in the discharge have been reduced by more than 50%, the new standard has not been met and the Township is now in violation of its NPDES permit.

OTHER BUSINESS

Chairman Conklin said that the Township sponsored a small Revolutionary War re-enactment event in 2014. The Township has once again been approached by the group for a similar event for the 240th anniversary of the battle in September 2017. Without looking at a budget and/or staffing, Chairman Conklin asked the Board for support in principal for another re-enactment event similar in size and activity with a formal plan proposal to be submitted in the future for approval.

Mr. Boorse thought that the 2014 event was good for the residents and the attendance exceeded expectations. The one area that needed improvement for a future event would be parking.

Chairman Conklin moved to generally support a September 2017 re-enactment event. Mr. Boorse seconded the motion which was unanimously approved.

The meeting was adjourned at 8:15 PM. (JLC;MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

02-May-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN GENERAL FUND				
17882	5/2/2016	1001926	AJ BLOENSKI, INC.	\$147.74
17883	5/2/2016	80	AQUA PENNSYLVANIA	\$45.00
17884	5/2/2016	1001986	BECKER LOCKSMITH SERVICES	\$705.00
17885	5/2/2016	366	BUCKLEY, BRION, MCGUIRE ATTY	\$1,258.00
17886	5/2/2016	873	CARDMEMBER SERVICE	\$150.19
17887	5/2/2016	1001949	CHADDS FORD CLIMATE CONTR	\$525.00
17888	5/2/2016	617	CHESTER WATER AUTHORITY	\$653.40
17889	5/2/2016	415	COLLEEN M. PIMER	\$270.00
17890	5/2/2016	1001902	COMCAST CABLE	\$104.85
17891	5/2/2016	775	CONVENIENT CAR CARE CORPO	\$324.35
17892	5/2/2016	1002016	COURIER SYSTEMS, INC.	\$2.50
17893	5/2/2016	1001908	DEBRA GALLEK	\$237.50
17894	5/2/2016	1001911	DELAWARE CO COMM COLLEGE	\$135.00
17895	5/2/2016	114	FRONEFIELD CRAWFORD. JR. LL	\$480.00
17896	5/2/2016	46	GALLS, LLC	\$145.07
17897	5/2/2016	780	GUMBALL MEDIA, LLC\LAND ART	\$2,566.50
17898	5/2/2016	21	H. A. THOMSON	\$3,308.00
17899	5/2/2016	422	HARRY TILLMAN AUTOMOTIVE L	\$637.43
17900	5/2/2016	517	INDEPENDENCE BLUE CROSS	\$4,897.10
17901	5/2/2016	1002188	JOHN & KAREN THOMPSON	\$170.15
17902	5/2/2016	1001884	K & D COMMUNICATIONS, INC.	\$125.00
17903	5/2/2016	1001755	MAJIC LANDSCAPES	\$1,304.00
17904	5/2/2016	178	PAGE EXCAVATING COMPANY, I	\$4,810.00
17905	5/2/2016	205	PARKWAY DRY CLEANERS, INC.	\$628.02
17906	5/2/2016	554	RED THE UNIFORM TAILOR	\$130.93
17907	5/2/2016	171	REILLY & SONS INC.	\$1,239.43
17908	5/2/2016	1002187	TASER TRAINING ACADEMY	\$435.00
17909	5/2/2016	1001988	THE STANDARD INSURANCE CO	\$526.94
17910	5/2/2016	1001948	TICKLEWOOD NURSERY	\$450.00
17911	5/2/2016	829	U.S. FINANCIAL LIFE INSURANCE	\$722.00
17912	5/2/2016	23	VANDEMARK & LYNCH, INC.	\$10,643.93
17913	5/2/2016	1001913	VERIZON WIRELESS	\$148.70
17914	5/2/2016	917	WITMER PUBLIC SAFETY GROU	\$31.58
Bank Totals:				\$37,958.31
Total Of Checks:				\$37,958.31

Check Register**BIRMINGHAM TOWNSHIP**

02-May-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN SEWER FUND				
8951	5/2/2016	80	AQUA PENNSYLVANIA	\$1,224.80
8952	5/2/2016	849	BATTAVIO/B&F SERVICE CO.	\$146.07
8953	5/2/2016	1001859	COYNE CHEMICAL	\$1,888.00
8954	5/2/2016	1001963	M & B ENVIRONMENTAL INC	\$7,747.44
8955	5/2/2016	1001755	MAJIC LANDSCAPES	\$460.00
8956	5/2/2016	798	PA ONE CALL SYSTEM,INC.	\$32.80
8957	5/2/2016	574	WASTE MANAGEMENT OF SOUT	\$48.31
8958	5/2/2016	1001834	WM P MCGOVERN INC	\$3,842.00
Bank Totals:				\$15,389.42
Total Of Checks:				\$15,389.42

Check Register

BIRMINGHAM TOWNSHIP

11-Apr-16

Check No	Check Date	Vendor No	Vendor Name	Check Amount
NATIONAL PENN GENERAL FUND				
17876	4/11/2016	80	AQUA PENNSYLVANIA	\$2,348.25
17877	4/11/2016	1002182	GALE M FITZPATRICK	\$121.00
17878	4/11/2016	29	PECO ENERGY	\$561.86
17879	4/11/2016	30	PECO ENERGY (TRAFFIC LIGHT)	\$69.91
17880	4/11/2016	1002154	VERIZON 610-4291316 676	\$45.06
17881	4/11/2016	61	VERIZON 610-793-2600-794	\$324.39
Bank Totals:				\$3,470.47
Total Of Checks:				\$3,470.47

Detail Check Register**BIRMINGHAM TOWNSHIP**

4/11/2016

NATIONAL PENN SEWER FUND

VendorNo	Vendor	Check Date	Check No	Check Amount
29	PECO ENERGY	4/11/2016	8949	\$3,767.23
	041116-S1 SERVICE 3/1-3/30/16 PS		\$235.32	
	041116-S2 SERVICE 3/4-4/2/16 - WWTP		\$3,531.91	
586	VERIZON 610-399-6923 315	4/11/2016	8950	\$77.41
	041116-S3 SERVICE 4/3-5/2/16		\$77.41	
Total Of Checks:				\$3,844.64